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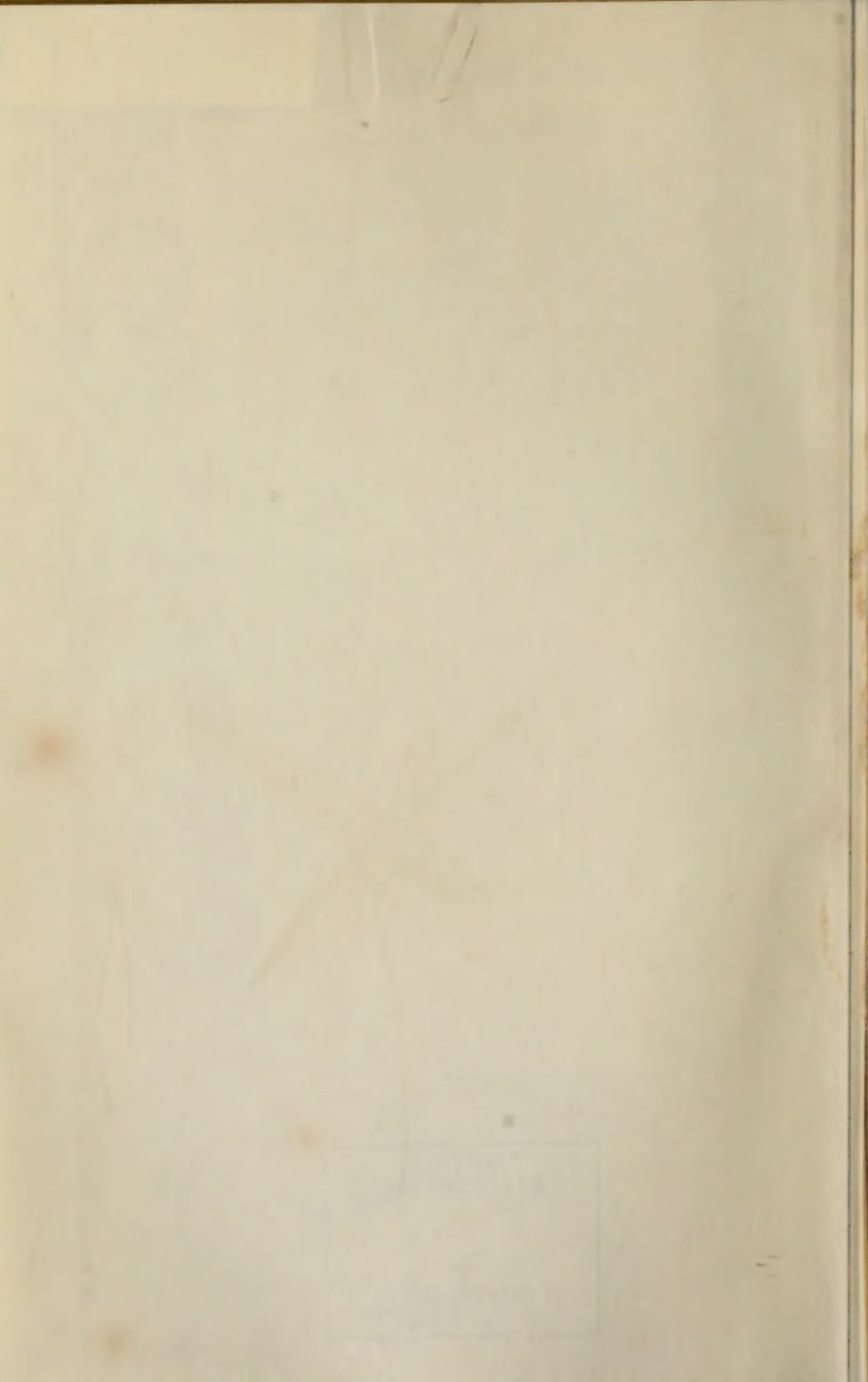
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DOCUMENTS SECTION

# Journal of the Senate

## Legislature of the State of California

1953 Regular Session

First Part of Session, January Fifth to January Seventeenth, Inclusive  
Second Part of Session, February Twenty-fourth  
to June Tenth, Inclusive



HON. GOODWIN J. KNIGHT  
President of the Senate

HON. HAROLD J. POWERS  
President pro Tempore

J. A. BEEK  
Secretary



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Volume 1

# Journal of the Senate Legislature of the State of California

1921 Session Session

First Part of Session, January Fifth to January Twenty-fourth, inclusive  
Second Part of Session, February Twenty-fourth  
to June Twenty-fourth, inclusive



HOWARD A. KNOX  
Speaker of the Assembly

HOWARD A. KNOX  
President of the Senate

A. A. KNOX  
Secretary

# CALIFORNIA LEGISLATURE

1913 REGULAR SESSION

## SENATE DAILY JOURNAL

### Volume 1

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## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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**SENATE DAILY JOURNAL**

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FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

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**IN SENATE**

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SENATE CHAMBER, SACRAMENTO  
Monday, January 5, 1953

The hour of 12 o'clock m. having arrived, Hon. Goodwin J. Knight, President of the Senate, in accordance with Article IV, Section 2, of the Constitution of the State of California, called the Senators to order and announced that the 1953 Regular Session of the Legislature of the State of California was about to convene, and informed the Senators that the Officers of the Senate during the 1952 Regular Session of the Legislature, J. A. Beek, Secretary; John F. Lea, Minute Clerk; and Joseph F. Nolan, Sergeant-at-Arms, were in their respective places in the Senate Chamber as required by Section 9150 of the Government Code.

**PRAYER**

By invitation of the President, prayer was offered by Rabbi Irving I. Hausman of Temple B'nai Israel.

**PLEDGE OF ALLEGIANCE**

Senator Dilworth led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. T. J. Hetland, Mrs. Don Butler, Mrs. Ed. C. Johnson, all of Marysville.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James J. McBride, Ventura; Mrs. Marguerite Volland, Oakland; Robert Stinnett, Oakland; Miss Rose Ann Gowdy, Santa Ana; and William T. Klope, Ventura.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph T. Monteleone, San Francisco, California.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edward Losey, Long Beach, and Mrs. Dan Evans, Inglewood.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. John S. Bain, Mrs. Howard Knight, and Mrs. Calvin Collins, all of Santa Rosa.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dick Chamberlain of Alameda.

### RESOLUTIONS

The following resolution was offered:

By Senator Parkman:

#### Senate Resolution No. 1

*Resolved*, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate, and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and adopted on a motion of Senator Parkman.

### CERTIFICATE FROM SECRETARY OF STATE

By direction of the President, the Secretary read the following certificate of duly elected Senators of the 1953 Regular Session of the Legislature of the State of California:

#### STATE OF CALIFORNIA

#### OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over State Senators, together with those duly elected at the General Election held on the FOURTH day of NOVEMBER, A. D. 1952, to represent the people of the State of California at the 1953 Session of the Legislature of said State, as appears from the statement of vote received from the county clerks and registrar of voters and of the various counties comprising the several Senatorial districts of the State of California, said statement of vote being a record of and on file in my office, viz:

### STATE SENATORS-ELECT

Name	District	County or Counties Comprising District
Harold J. Powers	First	Modoc, Lassen, Plumas
A. W. Way	Third	Humboldt
Edwin J. Regan	Fifth	Trinity, Shasta
Harold T. (Bizz) Johnson	Seventh	Sierra, Nevada, Placer
Swift Berry	Ninth	El Dorado, Amador
Nathan F. Coombs	Eleventh	Napa, Yolo
John F. (Jack) McCarthy	Thirteenth	Marin
Luther E. Gibson	Fifteenth	Solano
George Miller, Jr.	Seventeenth	Contra Costa
Earl D. Desmond	Nineteenth	Sacramento
Harry L. Parkman	Twenty-first	San Mateo
Donald L. Grunsky	Twenty-third	Santa Cruz-San Benito
Fred Weybert	Twenty-fifth	Monterey
Robert I. Montgomery	Twenty-seventh	Kings
A. A. Erhart	Twenty-ninth	San Luis Obispo
Clarence C. Ward	Thirty-first	Santa Barbara
James J. McBride	Thirty-third	Ventura
John A. Murdy, Jr.	Thirty-fifth	Orange
Nelson S. Dilworth	Thirty-seventh	Riverside
Ben Hulse	Thirty-ninth	Imperial

### HOLD-OVER STATE SENATORS

Randolph Collier	Second	Del Norte, Siskiyou
Burt W. Busch	Fourth	Mendocino, Lake
Paul L. Byrne	Sixth	Butte

<i>Name</i>	<i>District</i>	<i>County or Counties Comprising District</i>
Louis G. Sutton	Eighth	Tehama, Glenn, Colusa
Ed. C. Johnson	Tenth	Yuba, Sutter
F. Presley Abshire	Twelfth	Sonoma
Gerald J. O'Gara	Fourteenth	San Francisco
Arthur H. Breed, Jr.	Sixteenth	Alameda
John F. Thompson	Eighteenth	Santa Clara
Verne W. Hoffman	Twentieth	San Joaquin
Hugh P. Donnelly	Twenty-second	Stanislaus
George J. Hatfield	Twenty-fourth	Merced, Madera
Jesse M. Mayo	Twenty-sixth	Tuolumne, Mariposa, Calaveras
Charles Brown	Twenty-eighth	Mono, Inyo, Alpine
Hugh M. Burns	Thirtieth	Fresno
J. Howard Williams	Thirty-second	Tulare
Jess R. Dorsey	Thirty-fourth	Kern
James E. Cunningham	Thirty-sixth	San Bernardino
Jack B. Tenney	Thirty-eighth	Los Angeles
Fred H. Kraft	Fortieth	San Diego

(SEAL)

Witness my hand and the Great Seal of the State of California, at office in Sacramento, this Fifth day of January, A.D. 1953.

FRANK W. JORDAN, Secretary of State

#### ROLL CALL OF HOLD-OVER SENATORS

The President directed the Secretary to call the roll of hold-over Senators.

The roll was called, and the following answered to their names:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Donnelly, Dorsey, Hatfield, Hoffman, Ed. C. Johnson, Kraft, Mayo, O'Gara, Parkman, Tenney, Thompson, and Williams—20.

#### ROLL CALL OF SENATORS-ELECT

The President directed the Secretary to call the roll of Senators-elect.

The roll was called, and the following answered to their names:

Senators Berry, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hulse, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Ward, Way, and Weybret—20.

#### ROLL CALL

The President called the Senate to order, and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

#### OATH OF OFFICE ADMINISTERED

The Senators-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the constitutional oath of office, administered by the Honorable Fred B. Wood, Associate Justice, First Appellate District, Division 1, San Francisco, California.

Whereupon the President announced their qualification, and declared that quorum of all Senators was present.



### TEMPORARY ORGANIZATION EFFECTED

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

### MOTION TO TAKE LOYALTY OATH

Senator Tenney moved, seconded by Senator Hatfield, that all hold-over Senators take the Loyalty Oath as provided by the Constitution of the State of California.

Motion carried.

#### Loyalty Oath

Pursuant to the above motion the Loyalty Oath was administered by the Honorable Fred B. Wood, Associate Justice, First Appellate District, Division 1, San Francisco, California.

### RESOLUTIONS

The following resolution was offered:

By Senator Mayo:

#### Senate Resolution No. 2

*Resolved*, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro Tempore;  
Secretary of the Senate;  
Sergeant-at-Arms;  
Minute Clerk, and  
Chaplain.

Resolution read, and adopted on motion of Senator Mayo.

### NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE

The President thereupon declared nominations for the office of President pro Tempore of the Senate in order.

Senator Hatfield, seconded by Senator Parkman, placed in nomination for the office of President pro Tempore of the Senate the Honorable Harold J. Powers from Modoc County.

On motion of Senator Parkman, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR SENATOR HAROLD J. POWERS—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

NOES—None.

Whereupon the President declared Senator Harold J. Powers of Modoc County duly and unanimously elected President pro Tempore of the Senate.

### NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE

The President declared nominations for the office of Secretary of the Senate in order.

Senator Breed placed the name of J. A. Beek of Balboa in nomination for Secretary of the Senate.

The roll was called with the following results:

FOR J. A. BEEK—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson,

Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

NOES—None.

Whereupon the President declared J. A. Beek of Balboa duly and unanimously elected Secretary of the Senate.

#### NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Tenney placed the name of Joseph Francis Nolan of Los Angeles in nomination for Sergeant-at-Arms of the Senate.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOSEPH FRANCIS NOLAN—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

NOES—None.

Whereupon the President declared Joseph Francis Nolan of Los Angeles duly and unanimously elected Sergeant-at-Arms of the Senate.

#### NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE

The President declared nominations for the office of Minute Clerk of the Senate in order.

Senator Harold T. Johnson placed the name of John F. Lea of Sacramento in nomination for Minute Clerk of the Senate.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOHN F. LEA—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

NOES—None.

Whereupon the President declared John F. Lea of Sacramento duly and unanimously elected Minute Clerk of the Senate.

#### NOMINATIONS FOR AND ELECTION OF CHAPLAIN

The President declared nominations for the office of Chaplain of the Senate in order.

Senator Desmond placed the name of Rabbi Irving I. Hausman of B'nai Temple Israel in nomination for Chaplain of the Senate.

Motion carried.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR RABBI IRVING I. HAUSMAN—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

NOES—None.

Whereupon the President declared Rabbi Irving I. Hausman of B'nai Temple Israel duly and unanimously elected Chaplain of the Senate.

#### OATH OF OFFICE ADMINISTERED

The newly-elected officers of the Senate, Senator Harold J. Powers, President pro Tempore; J. A. Beek, Secretary of the Senate; Joseph F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Rabbi Irving I. Hausman, Chaplain of the Senate, appeared at the bar of the Senate where the constitutional oath of office was administered to them by the Honorable Fred B. Wood, Associate Justice, First Appellate District, Division 1, San Francisco, and they subscribed to the same.

#### RESOLUTIONS

The following resolution was offered:

By Senator Powers:

##### Senate Resolution No. 3

*Resolved, by the Senate of the State of California, That the following be, and the same are, hereby adopted as the Standing Rules of the Senate for the 1953 Regular Session.*

#### STANDING RULES OF THE SENATE

##### Convening and Sessions

##### Hour of Meeting

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

##### Calling to Order

2. The President, President pro Tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

##### Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.



**Order of Business**

4. The order of business shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain.
3. Leaves of Absence.
4. Privileges of the Floor.
5. Communications and Petitions.
6. Messages from the Governor.
7. Messages from the Assembly.
8. Reports of Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Special Orders.
12. Unfinished Business.
13. Consideration of Daily File.
14. Announcement of Committee Meetings.
15. Adjournment.

**Executive Sessions**

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

**Officers of the Senate****The President**

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The President shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

**The President pro Tempore**

7. The President pro Tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

**Presiding by Senators**

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

**Secretary of the Senate**

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

**Expenditures of Secretary**

9.1. All proposed expenditures by the Secretary of the Senate shall be subject to approval by the Senate Committee on Rules or its authorized representative pursuant to Standing Rule No. 13.1, including expenses for telephone service, telegraph service, supplies, rental of typewriters, illuminating resolutions, traveling expenses and any other incidental expenses in connection with concluding the business of the Senate and performing any duties imposed by law or by the rules or the resolutions of the Senate. Claims for any such expenses and claims for incidental expenses of the Senate heretofore incurred but for which payment has not been provided by any other resolution shall be submitted by the Secretary of the Senate to the Senate Committee on Rules or its authorized representative and such claims, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

9.2. Pursuant to subdivision (d) of Section 9900 of the Government Code, the Legislative Auditor is hereby designated as the person embraced by the definition of "Secretary" set forth in that section.

**Sergeant-at-Arms of the Senate**

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest,

for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

#### **Additional Duties**

10.1. The Sergeant-at-Arms is authorized to procure such boxes, packing and other materials as are necessary to ship to the Members of the Senate at their various places of residence their bill files, books, stationery and other printed matter at the close of each session. All proposed expenditures by the Sergeant-at-Arms incurred pursuant to this rule or in performing any duties imposed by law or by the rules or resolutions of the Senate shall be subject to approval by the Senate Committee on Rules or its authorized representative pursuant to Standing Rule No.

13.1. All claims incurred by the Sergeant-at-Arms shall be submitted to said committee or its authorized representative and, if approved, shall be transmitted to the Controller for payment pursuant to this resolution.

10.2. The Controller is hereby authorized and directed to draw his warrants in favor of the Secretary of the Senate, the Sergeant-at-Arms, and other officers and employees who render services to the Senate as certified weekly by the Senate Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

The Secretary of the Senate and the Sergeant-at-Arms shall approve and transmit to the Committee on Rules the claims for their compensation and for the compensation of their respective employees.

10.3. After final adjournment expenditures by the Secretary of the Senate or the Sergeant-at-Arms of the Senate for postage, express, freight charges, or other purposes for which cash payments are necessary, shall be paid from funds allocated to the Senate Committee on Rules for such purpose, subject to approval by the Senate Committee on Rules or its authorized representative. The Controller shall draw warrants on the Contingent Fund of the Senate in favor of the Secretary of the Senate or the Sergeant-at-Arms for such expenditures only in the amount authorized by the Senate Committee on Rules or its authorized representative.

The Secretary of the Senate and the Sergeant-at-Arms shall file with the Committee on Rules or its authorized representative receipts or vouchers covering all expenditures made for such purposes, which shall be transmitted to the Controller by the committee or its authorized representative.

#### **Committees of the Senate**

##### **Appointment of Committees**

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chairman of the committee, and four other Members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience; provided, however, that in making committee appointments, the Rules Committee shall, so far as practical, give equal representation to all parts of the State.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

Until the Budget Bill is finally enacted no standing committee shall report any appropriation bill to the Senate for passage except bills making appropriations for the salaries, mileage, and expenses of the Senate and Assembly, and emergency bills recommended by the Governor, whose letter of recommendation shall be produced before the committee before action is taken by the committee.

#### **Standing Committees**

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects.

3. Education, 11 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 7 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.



6. Financial Institutions, 9 members. All bills amending the Insurance Code and Financial Code, and all bills amending the Corporate Securities Act, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees

9. Institutions, 9 members. All bills relating to the State Department of Mental Hygiene, or to institutions under its jurisdiction including:

- a. State Hospitals
- b. Home for the Feeble-minded
- c. Inebriate Colonies
- d. Institutions for Delinquents
- e. Home for the Blind
- f. Industrial Workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 11 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Corporations Code, except for Corporate Securities Act
- d. Probate Code
- e. Penal Code
- f. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to:

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

13. Military and Veterans Affairs, 11 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

14. Natural Resources, 11 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

16. Public Utilities, 7 members. All bills amending the Public Utilities Code and other uncodified legislation relating to the same subject.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 13 members. All bills amending the

a. Vehicle Code

b. Streets and Highways Code

c. Harbors and Navigation Code

d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 11 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.

12.1. Each standing committee of the Senate created at a general session is hereby authorized to study and analyze all facts relating to the subjects which would fall within its jurisdiction as indicated by Rule 12 of the Standing Rules of the Senate, including, but not limited to, a needed revision of the laws relating to that subject, and for such purpose shall constitute an investigating committee with power to act during the sessions of the Legislature, including any recess, and after final adjournment, and until the commencement of the next regular general session, with authority to file its report not later than the thirtieth day of said general session.

Each such committee shall have all of the powers conferred upon investigating committees by the Joint Rules of the Senate and Assembly, the provisions of which are incorporated herein and made a part hereof.

No such committee shall exercise the authority herein conferred except when, and to the extent, it is authorized so to do in writing by the Committee on Rules. The Committee on Rules may allocate any money made available to said committee for expenditures on behalf of the committees herein created, and the members thereof, in such manner as the Committee on Rules shall prescribe.

#### **Committee on Rules**

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall have general charge of the books, documents and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed, or otherwise disposed of in accordance with law and the rules applicable thereto. The committee shall also have the duty of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and of the committees thereof, including investigating committees consisting wholly or in part

of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Senate is in session. The committee shall have authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The committee may make available to any Senate or joint committee or any Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The committee shall make available to and shall furnish to the Senate investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Committee on Rules may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe the amounts, times and methods of payment of their compensation, and provide for the auditing of any and all records and accounts in respect thereto.

The Committee on Rules shall constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate. The Senate Committee on Rules shall have charge of the attaches unless a Committee on Attaches is appointed.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for confirmation shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

13.1. All claims for expenses incurred by interim investigating committees of the Senate shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representatives before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this Rule by the resolution authorizing it.



No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this Rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate interim investigating committees and regulating the terms and conditions of employment of such employees. Copies of all rules and regulations adopted pursuant to this Rule shall be distributed to the chairman of every such investigating committee.

13.2. Pursuant to the powers vested in the Senate Committee on Rules, and during such time as the Senate is not in session, the committee is authorized and directed to incur and pay such expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Senate Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to interim committees or for other purposes. If there should be insufficient money available in any such appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which such allocations shall be paid.

13.3. The Senate Committee on Rules is responsible for the safekeeping of Senate property after adjournment of each session until the Senate shall reconvene again. The Chief of the Bureau of Buildings and Grounds is directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for use of the Senate at any time; and it is further directed that no persons other than the Members, officers and attaches of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Senate Committee on Rules upon adjournment of each session and until the Senate shall reconvene, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the committee or its authorized representative.

13.4. The Senate Committee on Rules is authorized and directed, through its authorized representative, to make and maintain a complete inventory of all property of the Senate, including all such property in the possession or control of any Senate interim committee. The Committee on Rules shall have custody and control of all such property of the Senate and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody and use or disposal thereof.

No furniture, equipment, or other property, other than supplies, shall be purchased by any Senate interim committee unless prior approval is obtained from the Senate Committee on Rules or its authorized representative.

#### **Status of Standing Rules for Preceding General Session**

13.5. The adoption of the Standing Rules for any budget session or special session shall not be construed as modifying or rescinding the



Standing Rules of the Senate for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those rules.

#### **Schedule of Committee Meetings**

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

#### **Quorum of Standing Committees—Vote**

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it, but at least a majority of all members constituting such committee shall be required to report a bill out of committee.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

#### **Powers of Standing Committees**

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly enact thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon the subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Chapter 4 of Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, the Legislative Counsel, and all other persons

whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

#### **Special Investigating Committees**

17. Except as provided by these rules, no committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purpose of the investigation shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

#### **Funerals**

17.1. The chairman or vice chairman of the Senate Committee on Rules may designate any one or more of the Members of the Senate as a Senate interim committee to attend funerals in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or in lieu of such expenses the same allowances for accommodations and meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The chairman or vice chairman of said Committee on Rules or any Member of the Senate designated by either of said officers may incur such expense as may be necessary for the purchase on behalf of the Senate of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this resolution are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Senate to the said Senate Committee on Rules and disbursed, after certification by the chairman or vice chairman of the committee, or by the committee's disbursing officer appointed and designated therefor by the committee, upon warrants drawn by the State Controller upon the State Treasurer.

#### **No Committee Expenditures Permitted**

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

#### **Procedure and Rules**

##### **Joint and Concurrent Resolutions and Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one

official reading, which reading shall occur after they have been reported by committee.

#### **Parliamentary Rules**

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

#### **Suspension or Amendment of Rules**

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the Members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the Members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

#### **Introduction and Reference of Bills**

##### **Introduction, First Reading, and Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred. The provisions of Rule 12 referring to the assignment of bills are intended as a guide to the committee but are not binding upon the committee.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee so designated.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

##### **Introduction of Bills by a Committee**

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

##### **Introduction of Bills at Special Sessions**

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a



number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

#### **Senate Resolutions**

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

#### **Bills in Committee**

##### **Committee Hearings**

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

##### **Substitute Committee Bills**

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

##### **Recalling a Bill From Committee**

28. The Senate may at any time by 21 votes recall a bill from committee.

#### **Consideration of Bills**

##### **Order of Making Files**

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairman of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.



**Special Order**

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

**Messages From the Governor or Assembly**

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

**Engrossing Bills**

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

**Enrolling Bills**

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro Tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

**Debate****Statement of Motion**

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

**Regulations as to Speaking**

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak through the public address system.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

**Order in Debate**

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

**Right to Address the Senate**

37. No person other than a Member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

**Questions and Motions****Amendments to Bills**

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in quadruplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

**Motion to Lay on the Table**

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

**Division of a Question**

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

**The Previous Question**

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

**Call of the Senate**

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no members shall be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.

No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate, except that during a call which was ordered for the purpose of procuring sufficient attendance for the conduct of business of the Senate in general and not for any other purpose, such call may be made to apply also to not more than one item of business by motion made and adopted by a majority vote of the members present after the roll has been called and prior to the announcement of the vote on such item of business. Under such circumstances, when the call of the Senate is dispensed with as to the item of business to which it is so applied it shall be deemed dispensed with as to the purpose for which it was originally made. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

#### **Reconsideration**

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

#### **Voting by Senate**

##### **Rescinding**

43.1. No action whereby a bill has been passed or defeated may be rescinded without the concurrence of 27 members.

##### **Voting on Roll Call**

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.

**Excused From Voting**

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

**Voting by Presiding Senator**

46. When the President pro Tempore or any other Member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

**Vote Required**

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).
3. To suspend constitutional provisions requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).
4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).
5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).
6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
7. To change rate of taxation for state purposes—(Constitution, Art. XIII, Secs. 14, 16).
8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).
9. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 22).
10. To change rates or conditions under the State Employees' Retirement System—(Constitution, Art. IV, Sec. 22a).
11. To propose change in location of state capital—(Constitution, Art. XX, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To rescind the action whereby a bill has been passed or defeated.
14. To suspend the Rule against lobbying in the Senate Chamber.
15. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.
16. To concur in any Assembly amendments to, or any conference report affecting, any Senate bill which contains an item or items



of appropriation subject to reduction or elimination under the provisions of Section 34A of Article IV of the Constitution.

The following actions require 21 votes:

17. To amend or suspend the Rules.
18. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).
19. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).
20. To adopt joint and concurrent resolutions.
21. To reconsider bills, joint and concurrent resolutions.
22. To confirm appointments by the Governor or to reconsider the same.
23. To recall a bill from committee.
24. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

25. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

#### **Vote Required for Amendments**

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

#### **Contents of Senate Journal**

##### **Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

##### **Titles of Bills to Be Printed**

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

##### **Other Matter to Be Printed**

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Letters of transmittal presenting reports of interim committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolutions adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate.

### Legislative Printing

#### Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery for the members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

#### Printing Only on Written Orders; Rush Orders

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

#### Form of Printing Amendments

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual roman type.

#### The Senate Chamber

##### Admission Within Bar to Senate

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, Members of the Assembly, state officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in session.

56. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and the President pro Tempore are charged with the enforcement of this rule, and this rule cannot be suspended except by a two-thirds vote of the entire Senate.

This rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies.

#### Legislative Representation Committee

57. In addition to any other committee provided for by these rules, there shall be a committee to be known as and called the Special Senate Committee on Legislative Representation, which is hereby declared to

be a continuing body authorized to act both during and between sessions of the Legislature.

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

The committees shall study and analyze all facts relating to legislative representation and the regulation thereof, and shall report thereon to the Legislature at each general session and from time to time as the committee deems necessary, including in the reports its recommendations for appropriate legislation.

The committee shall consist of five Members of the Senate to be selected by majority vote of the Senate at each general session of the Legislature. No more than three members of the committee shall be from any one political party. The committee shall select its own chairman.

Any vacancy occurring between general sessions shall be filled by the Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—36.

NOES—None.

By Senator Hulse:

#### Senate Resolution No. 4

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Rules:

Senators Hatfield, Ward, Brown, and Burns.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

NOES—None.

By Senator Parkman:

#### Senate Resolution No. 5

*Resolved*, That the following members be and the same are hereby elected members of the Senate Committee on Legislative Representation:

Senators Abshire, Desmond, Busch, McBride, and Weybret.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

NOES—None.

By Senator Gibson:

**Senate Resolution No. 6**

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Gibson, adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced, in accordance with the above resolution, the appointment of Senators Gibson, McBride, and Kraft as the Special Committee to call upon the Governor, and notify him of the organization of the Senate, and the Senate is now ready to receive any communication he may have to make.

By Senator Thompson:

**Senate Resolution No. 7**

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

Resolution read, and on motion of Senator Thompson, adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced, in accordance with the above resolution, the appointment of Senators Abshire, Thompson, and Grunsky as a Special Committee to notify the Assembly that the Senate is duly organized, and ready to proceed with the business of State.

By Senator McBride:

**Senate Resolution No. 8**

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate has elected the following statutory officers:

*President pro Tempore*—Harold J. Powers

*Secretary of the Senate*—Joseph A. Beek

*Sergeant-at-Arms*—Joseph F. Nolan

*Minute Clerk*—John F. Lea

*Chaplain*—Rabbi Irving I. Hausman

Resolution read, and adopted on a motion of Senator McBride.

By Committee on Rules:

**Senate Resolution No. 9**

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1953 Regular Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley	Sonoma	228	\$11 40
Berry, Swift	Eldorado	100	5 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Buch, Burt W.	Lake	320	16 00
Byrne, Paul L.	Butte	202	10 10
Collier, Randolph	Siskiyou	590	29 50
Combs, Nathan F.	Napa	122	6 10
Cunningham, James E.	San Bernardino	1,016	50 80
Desmond, Earl D.	Sacramento	22	1 10
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Dorsey, Jess R.	Kern	550	27 50
Erhart, A. A.	San Luis Obispo	666	33 30



Senators	County	Mileage	Total at 5 cents per mile
Gibson, Luther E.	Solano	112	\$5 60
Grunsky, Donald L.	Santa Cruz	436	21 80
Hoffman, Verne W.	San Joaquin	68	3 40
Hulse, Ben	Imperial	1,206	60 30
Johnson, Ed. C.	Yuba	106	5 30
Johnson, Harold T.	Placer	38	1 90
Kraft, Fred H.	San Diego	1,146	57 30
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCarthy, John F.	Marin	210	10 50
Miller, George, Jr.	Contra Costa	168	8 40
Montgomery, Robert I.	Kings	428	21 40
Murdy, John A., Jr.	Orange	978	48 90
O'Gara, Gerald J.	San Francisco	180	9 00
Parkman, Harry L.	San Mateo	222	11 10
Regan, Edwin J.	Trinity	434	21 70
Sutton, Louis G.	Colusa	150	7 50
Tenney, Jack B.	Los Angeles	894	44 70
Thompson, John F.	Santa Clara	256	12 80
Ward, Clarence C.	Santa Barbara	920	46 00
Way, A. W.	Humboldt	624	31 20
Weybret, Fred	Monterey	484	24 20
Williams, J. Howard	Tulare	468	23 40
			Total at 10 cents per mile
Officers	County	Mileage	
Knight, Goodwin J., President	Los Angeles	894	\$89 40
Beck, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

### Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, and Williams—30.

**NOES**—None.

By Senator Ed. C. Johnson:

#### Senate Resolution No. 10

*Resolved*, That the Controller be and he is hereby directed to deliver to Joseph F. Nolan, Sergeant-at-Arms, or such of his assistants as the Sergeant-at-Arms may designate, warrants for salaries and expenses of members and officers of the Senate.

Resolution read, and adopted on a motion by Senator Ed. C. Johnson.

By Senator Brown:

#### Senate Resolution No. 11

Creating the Senate Legislative Process Committee and defining its powers and duties

**WHEREAS**, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Senate, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

**WHEREAS**, There is need of a committee equipped to ascertain facts and secure facts and secure information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Senate; now, therefore, be it

*Resolved by the Senate of the State of California*, as follows:

1. A special committee designated the "Senate Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the Members and committees of the Senate as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the same Members of the Senate as the Senate Committee on Rules, and shall have the same chairman.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Senate from time to time and at any time.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The sum of one hundred ten thousand dollars (\$110,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Williams—29.

**NOES**—None.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 1:** By Senator Powers—Relative to Joint Rules of the Senate and Assembly.

### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Relative to Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

## Letter of Transmittal

STATE WATER RESOURCES BOARD  
PUBLIC WORKS BUILDING, SACRAMENTO  
August 27, 1952

*Hon. Earl Warren, Governor of California*  
*Members of the California State Legislature*

Attention: Joseph A. Beek, Secretary of the Senate

GENTLEMEN: I have the honor to transmit herewith Bulletin No. 6 of the State Water Resources Board, entitled "Sutter-Yuba Counties Investigation," as authorized by Chapter 1514, Statutes of 1945, as amended.

Under provisions of the cited statute, an agreement dated October 7, 1947, was entered into between the State Water Resources Board, the Counties of Sutter and Yuba, and the Department of Public Works acting through the agency of the State Engineer. The agreement provided for

"\* \* \* investigation and report on the underground water supply of the valley floor in the Counties of Sutter and Yuba, including quality, replenishment and utilization thereof, and, if possible, a method or methods of solving the problems involved \* \* \*",

and authorized funds to meet the costs of the investigation for one year. A supplemental agreement executed by the same parties on December 3, 1948, authorized funds to complete the investigation and report.

The Sutter-Yuba Counties Investigation was conducted and Bulletin No. 6 was prepared by the Division of Water Resources of the Department of Public Works, under the direction of the State Water Resources Board. Funds to meet the cost of investigation and report were provided as follows: State of California (State Water Resources Board), \$20,000; County of Sutter, \$10,000; and County of Yuba, \$10,000. Additional funds provided by the Legislature have been expended by the State Water Resources Board in connection with the current State-wide Water Resources Investigation, certain results of which were used in connection with the Sutter-Yuba Counties Investigation.

Bulletin No. 6 contains an inventory of the underground and surface water resources of the valley floor in the Counties of Sutter and Yuba, estimates of present and probable ultimate water utilization, estimates of present and probable ultimate supplemental water requirements, and preliminary plans and cost estimates for water development works.

Very truly yours,

C. A. GRIFFITH  
Chairman

Letter of transmittal ordered printed in the Journal, and the report filed with the Secretary of the Senate.

CALIFORNIA STATE PERSONNEL BOARD  
January 5, 1953

*Mr. Joseph Beek, Secretary of the Senate*  
*The State Senate, Sacramento, California*

DEAR MR. BEEK: The State Personnel Board at its regular meeting on December 5, 1952, adopted the following resolution:

*Resolved*, That the Report to the Governor and the Legislature concerning state salaries and other matters together with recommendations be adopted as the report prepared in conformance with Government Code Section 18712. The Secretary of the State Personnel Board is directed to file the report with the Governor immediately and to file copies with each house of the Legislature in accordance with Government Code Section 18712.

In conformance with this resolution, we are transmitting a copy of this report to be filed with the Assembly.

Very truly yours,

JOHN F. FISHER  
Secretary



## Inter-Departmental Communication

## DEPARTMENT OF MOTOR VEHICLES

January 1, 1953

*Mr. J. A. Beek, Secretary of the Senate  
State Capitol Building, Sacramento, California*

Subject: Senate Resolution 16

Please refer to your letter of December 23 transmitting the Senate Journal of August 6 regarding Senate Resolution 16.

For your information a copy of our report to the Interim Committee on Traffic and Motor Vehicle Violations is attached.

A. H. HENDERSON  
Director

Letter of transmittal ordered printed in the Journal, and the report filed with the Secretary of the Senate.

STATE OF CALIFORNIA  
DEPARTMENT OF MOTOR VEHICLES

December 31, 1952

*Senate Interim Committee on  
Traffic and Motor Vehicle Violations  
Room 3072, State Capitol  
Sacramento, California*

GENTLEMEN: I respectfully submit for your consideration a report prepared for me concerning Senate Resolution No. 16 on August 6, 1952, which I am sure you will find to be self-explanatory.

A summation of the report indicates the adoption of the Resolution would increase our manufacturing and mailing costs between \$130,000 and \$150,000 in a license plate year, and would increase our mailing cost in each license tab year in proportion to the number of plates issued as duplicates and to new and nonresident vehicles which are mailed.

It would also increase the overall size of our license plates from 6½ inches in width by 13½ inches in length to approximately 6½ inches in width and 16½ inches in length, and would require the Department to make several changes in its present methods of operation.

In view of the increased cost and other related problems, I would not recommend that any change be made in the design, weight, or system used presently.

Respectfully submitted,

A. H. HENDERSON  
Director

December 5, 1952

*A. H. Henderson, Director  
M. A. Page, Chief Clerk*

Comments and Recommendations re Senate Resolution No. 16 of August 6, 1952

In compliance with your request I have made a rather extensive study concerning the possibilities of using a Golden Poppy as a symbol on our license plates as proposed by Senate Resolution No. 16 of August 6, 1952.

The resolution and various factors concerning the production of our license plates have been discussed at length with representatives of Correctional Industries of the Department of Corrections, manufacturers of our license plates and tabs. It is mutually agreed that it is not feasible to place such an emblem on the presently designed license, as its size, which is prescribed by law, is just sufficient to accommodate the maximum number of characters required under our existing numbering system. If we do not retain our present plate design, it would seem to resolve the problem to one of two choices; namely, we either change our numbering system or enlarge the license plate.

In my study of the problem, I have found generally it is not possible to patent or copyright a system or a plan of numbering (see copies of correspondence attached). In view of this fact, a new numbering system could possibly be devised; however, any system to be considered must be capable of providing a capacity sufficient to meet our registration requirements over a five year period, also it must be coordinated with the limitations of our machine operations. We estimate over a five year period we will need 8,500,000 auto plates, 1,500,000 commercial plates, 700,000 trailer plates, and 90,000 motorcycle plates to meet our registration, duplicate, and distribution requirements; and in accordance with provisions of the Vehicle Code, registration numbers assigned to each class of vehicle must run in a separate numerical series. (See 157 CVC.)

The second choice would be to increase the size of the license plate. As previously stated, there is a provision in the Vehicle Code that specifically prescribes that the plate shall be 6½ inches in width and 13½ inches in length. This provision was enacted by



the Legislature in 1929 at the request of various individuals and organizations interested in establishing a definite size of plate to encourage the use of license plate frames and holders, many of which are issued as advertising media. Any change in size would require an amendment to the Code, and no doubt, bring objections from these groups.

An increase in the size of the plate would also increase our annual postage costs. At the present time, a pair of plates complete and ready for mailing will weigh a fraction under one pound. It is estimated to provide sufficient space for embossing a Poppy on each plate, it will require from  $2\frac{1}{2}$  to 3 inches of additional steel, increasing the length of the plate from its present  $13\frac{1}{4}$  inches to  $16\frac{1}{4}$  inches, more or less. Such an increase in size would increase our mailing cost an estimated average of 4¢ per pair, or between \$30,000 and \$32,000 in a license plate year. It is estimated that throughout the State in such a year, there are between 750,000 and 800,000 pairs of plates mailed by Departmental offices.

Other cost factors to be considered are the costs for additional materials, dies, changes in manufacturing equipment, and transportation charges. It has been estimated by Correctional Industries that these additional costs will run between \$100,000 and \$125,000.

Any material change in size would also be in direct conflict with the recommendations of the Automobile Manufacturers Association and the Association of Motor Vehicle Administrators, who have been striving for the past 8 to 10 years to secure the adoption by all states of a license plate 6 inches in width and 14 inches in length.

As one considers this problem, there are many other factors that present themselves. For example, any symbol that might be used when embossed into the plate and then painted to achieve the desired results should, when finished, look and appear in every respect, as near as possible to the selected object. This would require a careful selection of the paint to be used for the background, the letters and numbers, and the symbol on the plate so that the colors selected would not affect the visibility and legibility of the plate. It has been proved by test that our present combination of colors are the best in this respect.

In conclusion I earnestly recommend that we strive to retain our present size plate and present numbering system. Over a period of years both have proved most satisfactory, and have completely fulfilled all the requirements of a license plate.

Respectfully submitted,

M. A. PAGE, Chief Clerk  
Department of Motor Vehicles

I concur for Correctional Industries of the Department of Corrections.

AMERICAN ASSOCIATION OF  
MOTOR VEHICLE ADMINISTRATORS  
October 13, 1952

Mr. M. A. Page, Chief Clerk  
Department of Motor Vehicles  
12th and N Streets  
Sacramento 6, California

DEAR MIKE: Some time back, you inquired in regard to patents. One of the patents that had to do with license plate manufacture is owned by the Scovill Manufacturing Company. It is in the name of Allen Ruffin, Patent No. 2,274,744, dated March 3, 1942. The owner of this patent at one time contended that the State of Connecticut infringed it. However, our knowledge is that nothing ever came to pass.

The patent covers particularly the construction of a raised panel formed upwardly from the face of the license number plate to which is removably attached the year license tag. This is the only patent of any consequence that we have found and it is brought to your attention simply for the purpose of including it in the previous correspondence on this subject.

Yours very truly,

BASIL R. CREIGHTON  
Assistant Executive Director

COPYRIGHT OFFICE, THE LIBRARY OF CONGRESS  
Washington 25, D. C.

There is no provision in the copyright law under which it is possible to secure the exclusive right to an idea, system, plan, or method of doing anything.

An original writing, embodying the operation of a particular idea, system, plan, or method may be copyrighted upon complying with the requirements governing the particular class of work to which it belongs. However, such copyright would protect only the original text or pictorial matter against exact or colorable reproduction. It would not secure the exclusive right to the idea, plan, or system.

REGISTRAR OF COPYRIGHTS

Circular 31  
Ideas, Systems, and Plans

AMERICAN ASSOCIATION OF  
MOTOR VEHICLE ADMINISTRATORS

August 28, 1952

Mr. M. A. Page, Chief Clerk  
Department of Motor Vehicles  
12th & N Streets  
Sacramento 6, California

DEAR MIKE: As requested in your letter of August 13, 1952, I have checked with the Copyright Office of the Library of Congress, and also with the U. S. Patent Office in regard to patented registration numbering systems. As a result of my contacts with these two offices, it is my understanding that it is not possible to copyright or to patent a system of numbers.

Attached hereto is a copy of a circular provided by the Copyright Office which deals with "ideas, systems, plans or method of doing anything". Although the Patent Office could not provide a similar circular, I was informed that generally speaking the same rule prevailed. The Patent Office did say, however, that if the letter or numeral was of a design that affected the structure on which it was placed that it might be patentable. For example, if the letters or figures on your license plates were so embossed as to give additional strength to your plate, the method of embossing the numerals and letters might be patentable and therefore might include numerals and letters.

It was pointed out, however, that as far as patenting a system or plan of numbering in itself, was not possible. My informant emphasized in this case that the plate, or the validating marker used on the plate, or means of attaching the plate to the vehicle, are patentable under the usual rules. The information obtained, of course, was verbal. Inquiry was made at the Patent Office, however, respecting the possibility of a patent having been granted erroneously on a numbering system. In this connection, I was informed that there was such a possibility and the only safeguard against such a situation would be the employment of a patent attorney for the purpose of searching the records to ascertain such fact. The Patent Office suggested that if a patent had been obtained on a numbering system it was in error, and might necessitate court action. My informant, however, was of the opinion that any test in such a situation would probably be determined satisfactorily to the State.

From information I have obtained, it would appear reasonably safe to proceed to use any numbering system that would meet your requirements.

The Patent Office does not file under the subject heading of "License Plates". Accordingly, patents on, or in connection with license plates are not located in one place in their files. Such patents as have been issued are for methods of attaching the plate, methods of strengthening or illuminating the plate, etc., and as a consequence, the filings are made under headings descriptive of the method or device so patented. A complete record on devices having to do with license plates would therefore require a search by a very competent patent attorney.

I can understand your concern about any change in your present numbering system. Undoubtedly, any change in numbering would seriously affect your license plate production program and would entail considerable cost to repunch the millions of cards required in connection with the California registration issuance. It would also entail a large expense in filing and other equipment necessary to accommodate the new system.

I have noted your statement with regard to the size of your present license plate and your inability to include any additional matter. In this connection, Mr. Henderson probably will recall that at last year's annual meeting of the association the question of standardizing license plate sizes was discussed. The suggested standard size for license plates was 6"x14". If a smaller size were suggested, I am wondering if it would be possible for you to go along with the program?

Yours very truly,

L. S. HARRIS  
Executive Director

August 13, 1952

Mr. L. S. Harris, Executive Director,  
American Association of Motor Vehicle Administrators,  
912 Barr Building, Washington, D. C.

DEAR PETE: Attached find copy of Senate Resolution No. 16 adopted August 6, 1952, during a special session of our State Legislature, which I am sure you will find to be self-explanatory and which Gus has referred to me for study and recommendations.

No doubt it is a desirable gesture to adorn your State license plate with some appropriate representative manifesting the greatness of your State, provided the plate is of a size that will permit, but unfortunately we have reached the point under our present numbering system and size of plate where we hardly have room to add even a small dash or dot.

As you probably know, commencing January 1, 1951, provisions of our Vehicle Code required us to issue a plate good for five years and during the intervening four year period we are to issue a symbol or other device as evidence of registration. Under this

arrangement we anticipate we will need in the five year period approximately 8,500,000 plates for our passenger cars, 750,000 for commercial trucks, 800,000 for trailers, and 150,000 for motorcycles, which will also include a supply for distribution. Now in order to get these quantities we revised our old numbering system so as to provide a maximum of seven alphabetical and numerical characters to a plate, which is the absolute maximum number of characters our present size plates will permit. It appears if we are to comply with this resolution it resolves itself down to two factors; either we change our numbering system or we enlarge our license plate. We are indeed reluctant to change the numbering system and there certainly are many reasons why we do not wish to increase the size of the plate.

Now that I have laid the ground work, here is where you enter the picture. If we are to change our numbering system, we do not want to go into any patented system, and since in the years past we have had several such systems submitted to us for consideration, also claims that our present system infringes upon someones patented system, we would like to secure from the file of the U. S. Patent Office for careful study copies of all patented numbering systems, also copies of any patents filed on license plates. With these data it is quite possible we can prepare a report for the Senate Interim Committee that will nip this in the bud.

Believe me, any assistance rendered in this matter will be greatly appreciated.

Sincerely yours,

M. A. PAGE, Chief Clerk  
Department of Motor Vehicles

### REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received:

Senators Gibson, McBride, Kraft, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Abshire, Thompson, and Grunsky, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported they had performed their duty.

### MESSAGES FROM THE ASSEMBLY

At 12.45 p.m., the following Assemblymen, Messrs. Tomlinson, Maloney, and C. W. Lyon, appeared at the bar of the Senate and announced that the Assembly was duly organized and ready to proceed with the business of the State.

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day elected the following statutory officers:

James W. Silliman .....	Speaker
Thomas A. Maloney .....	Speaker pro Tempore
Arthur A. Ohnimus .....	Chief Clerk
Geraldine B. Hadsell .....	Minute Clerk
Wilkie Ogg .....	Sergeant-at-Arms
Father James A. Poole .....	Chaplain

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

### RECESS

At 12.55 p.m., on motion of Senator Powers, the Senate recessed until 2.30 p.m.

### REASSEMBLED

At 2.30 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### MESSAGES FROM THE ASSEMBLY

At 2.50 p.m., the following Assemblymen, Messrs. Stewart, Lowery and Kirkwood, appeared at the bar of the Senate and invited the Senators to attend the Joint Meeting in the Assembly Chambers at 3.00 p.m.



## RECESS

At 2.55 p.m., on motion of Senator Powers, the Senate recessed until 4.20 p.m.

## IN JOINT CONVENTION

## ASSEMBLY CHAMBER

SACRAMENTO, Monday, January 5, 1953

At 3 p.m. the Senate and the Assembly met in Joint Convention. Hon. James W. Silliman, Speaker of the Assembly, presiding.

Arthur A. Ohnimus, Chief Clerk, at the desk.

## ANNOUNCEMENT

Speaker James W. Silliman announced the presence in the Assembly Chamber of the Honorable Goodwin J. Knight, Lieutenant Governor of the State of California and President of the Senate; the Honorable Harold J. Powers, President pro Tempore of the Senate, and invited them to the rostrum.

## SENATE ROLL CALL

Hon. Goodwin J. Knight, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Gruensky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

## ASSEMBLY ROLL CALL

Hon. James W. Silliman, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Backstrand, Beck, Belotti, Berry, Bradley, Brady, Brown, Bulen, Burke, Caldecott, Casey, Chapel, Clarke, Cloyed, Collier, Collins, Conrad, Cooke, Coolidge, Creedon, Davis, Dickey, Dills, Dolwig, Donahoe, Donald D. Doyle, Thomas J. Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Ernest R. Geddes, Samuel R. Geddes, Hahn, Hansen, Hawkins, Henderson, Hinekey, Hobbie, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksien, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Charles W. Lyon, LeRoy E. Lyon, Maloney, Marsh, Masterson, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Nielsen, Patterson, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weinberger—79.

## APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Goodwin J. Knight, President of the Senate, announced the appointment of Senators Hatfield, Mayo, Brown, Murdy, and O'Gara, as the Senate Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

Hon. James W. Silliman, Speaker of the Assembly, announced the appointment of Messrs. Lipscomb, Allen, Belotti, Shaw, and Collins as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.



**REPORT OF JOINT COMMITTEE ON ESCORT**

The Joint Committee on Escort, appointed to wait upon the Governor and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Earl Warren, Governor of the State of California.

**PRESENTATION OF THE LIEUTENANT GOVERNOR**

Hon. James W. Silliman, Speaker of the Assembly, presented Senator Powers who then presented Lieutenant Governor Goodwin J. Knight to the Joint Convention.

**PRESENTATION OF THE GOVERNOR**

Hon. Goodwin J. Knight, Lieutenant Governor of California, then presented His Excellency, Hon. Earl Warren, Governor of the State of California, to the Joint Convention.

Governor Warren then proceeded to address the Joint Convention as follows:

**ADDRESS BY THE GOVERNOR**

*Mr. Speaker, Lieutenant Governor Knight, President Pro Tempore Powers, Speaker Pro Tempore Maloney, and Members of the Legislature:*

Welcome to Sacramento for the 1953 Session of the Legislature—and a Happy New Year to you all.

In accordance with the Constitution I report to you the condition of our State.

The policies and statutes you enacted at the last and preceding sessions have been faithfully administered. Our finances for the fiscal year remain in balance, and in order to keep pace with kaleidoscopic changes we are building as fast as possible the additions to our governmental plant which you have authorized. I believe I can say to you that we are making progress on most fronts—but *conditions will not permit relaxation on my part or yours.*

The stream of events is so strong that we must swim our best to keep even with it. There are times even when we cannot buck the current alone. We must help each other, and it is in such a spirit that I approach this session of the Legislature. Every facility of my office and my own personal time are available to your committees and to the individual members of both Houses—new and old—for the asking.

**OUR GROWING STATE**

In a sense, California is a different State than when you met here two years ago. It is a bigger and therefore a more complex state. In these two years we have grown in population by 720,000—the equivalent of a new city of 7,000 people every week, cities the size of Ukiah, Turlock or Calexico.

The number of children in our schools is greater by 275,000, filling 9,000 classrooms.

There are 73,000 more 65-year-old people among us who are facing the unsolved problems of the aging.

There are 3,120 more patients in our overcrowded state hospitals; 1,856 more people in our overtaxed correctional institutions.

There are 556,000 more vehicles on our highways. In the same period traffic accidents have taken the lives of 7,040 of our citizens and injured 210,000 more; human sacrifices to congestion, speed, negligence and indifference.

More than 1,400 working men and women have lost their lives and nearly 300,000 have suffered disabling injuries during this same period while at their work; also due, too often, to negligence and indifference.

We have built 315,000 dwelling units in these two years which is more than the great City and County of San Francisco had at the time of the 1950 census. These new units are both urban and rural, and present real problems of local government, sanitation and public health.

We have drilled more than 8,700 new wells for agricultural and industrial purposes and have brought large new areas under cultivation to tax our already strained underground and surface water supplies.

The tempo, output and value of agriculture and industry have been sharply accelerated and problems of harvesting, processing, transportation and marketing have been accentuated.

Two hundred and fifty thousand of our young men are now in the armed forces of our country. More than 100,000 others have completed their military service and have returned from Korea to establish themselves in our ever-changing state. Sixteen hundred will never return. For them we can do nothing except to live worthily of their sacrifice; to make this State better and life more purposeful for all who live here.

If we are to do this we must face every day the problems of growth. We must recognize that these problems call for service to more people, enlarged facilities and added expense. We must cultivate our growth to insure healthy growth, looking forward to the day which is rapidly approaching when California, now the second, will be the most populous state in the Union.

What I report to you then in this message is for the purpose of sharing our joint obligations to the 11,300,000 people whom we have been elected to serve.

It is not in my opinion essential to make drastic changes in either our laws, procedures or administration. Generally speaking, they are at present sound. It is our duty nonetheless, and it should be our inspiration, wherever possible to make improvement. In whatever way we can do so we should make life better for all our people, with particular concern for those who have been afflicted by misfortune or who, because of youth or age, are entitled to our special solicitude.

#### EDUCATION

For our youth, we must continue to build classrooms to the extent of, and as fast as the bond issue of \$185,000,000 recently approved by the people, in accordance with your recommendation, will permit. Pursuant to our equalization policy, we must also provide for a just allocation to the 2,016 school districts in the State, of the money guaranteed to the public school system by the initiative constitutional amendment recently adopted by the voters.

#### COMMITTEE ON AGING

We have been able to keep abreast of the problems of youth very largely because of the invaluable services of the members of the Committee on Children and Youth authorized by the Legislature in 1943.

Many problems of youth, both of an inspirational and a corrective nature, have been met administratively through following the recommendations of these very earnest people, and you also have followed their recommendations in other instances. The cost of the committee is minimal and our experience with it has been so refreshing that I believe we can follow suit in dealing with the problems of the aging by the establishment of a like committee for that purpose.

#### SENILES

There is one problem of the aging wherein our concern has lagged far behind our other humanitarian activities. This is in the care of the senile. For them there is no real program. On the contrary, they are often caught between overcrowded and inadequate county hospitals on the one hand and state hospitals for the mentally ill on the other.

This is due to a failure to distinguish between the deterioration of senility and the symptoms of actual mental disease. Senility, in and of itself, is not insanity. The confusion has existed largely because according to our legal concept the care of senile cases is the responsibility of the counties, while the care of the insane is the responsibility of the State.

Because the line of demarcation between the two is not always clear, and because many counties have neither the facilities nor the desire to incur the expense of such care, thousands of aged people—mothers, fathers, grandparents—are committed to state hospitals as insane and are taken without their consent from the counties in which they live. There are 5,000 such cases in our state hospitals now, and the total cared for in the state hospitals during a year's time is nearly 8,000, because many of these patients pass away within a few months after they are committed. Most of these cases are terminal cases. When they are moved to a state hospital they are taken to practically another world, isolated from their relatives and friends and other familiar surroundings.

This situation should be changed. There should be sanitariums for the senile as close to their own homes as possible. They should be under local management. I do not make this proposal for the purpose of having the State shirk any part of its responsibility in the matter. I would like to have a program that will enable the State and the counties to work together on a fair basis, with each sharing the cost of both construction and operation of the institutions for the care of all seniles. I believe this would be less costly both for the counties and for the State because it would not be necessary to have the same expensive type of construction or hospital care that is required in the building and operation of state hospitals for the mentally ill.

#### MENTAL HEALTH

In the field of mental health I urge the continuance of orderly improvement of patient care and a continuance of the building program until overcrowding and bed space deficiencies are overcome. A real mental hygiene program of necessity encompasses both adequate facilities and good patient treatment. Without either the program is woefully deficient.

Progress in both of these phases has been made in California in recent years. There is one phase of the program, however, wherein we never have even approximated a satisfactory program. This is in the care of the mentally deficient.



My own memory goes back a quarter of a century on this subject and we have never in that period been able to be proud of the service we rendered to such unfortunate persons. Our institutions have always been overcrowded, obsolete, and with a waiting list running into the thousands. Recently we have gotten rid of much of the obsolescence and fire hazards, but we are at present  $19\frac{1}{2}$  percent overcrowded, and we have a waiting list well in excess of 3,000. Many have been on that list for years. The new hospital at Porterville will remedy the situation to the extent of 1,000 beds on May 1, and new additions to that hospital, to Sonoma and to Pacific Colony, will supply 1,800 new beds by 1955; but at the present rate of population growth we will still have at that time a waiting list of 2,700 even though we have 10 percent overcrowding.

Heretofore you have authorized the purchase of a site and the preparation of plans for a new such hospital at Costa Mesa. The site has been purchased, the preliminary plans are prepared, the working drawings are on the boards, and there is money in the construction fund that can be used for the project. I recommend that \$12,500,000 be appropriated for the first unit of 1,500 beds of the institution as an emergency measure. Months of valuable time could be saved by such action on your part. Having determined that the hospital will be built, no purpose could now be served by waiting for its appropriation until the budget bill is passed.

Cold figures having to do with beds and costs do not reveal all the elements of the problem. No one who has not had to care for and live with an overactive defective person could truly appreciate the hour-by-hour, day-by-day, year-by-year stress that it brings to parents and to other children in the home. No one who has not had to care for the body of a child who is alive but pitifully misformed can appreciate the heart-break and terrible fatigue such a task imposes upon a mother.

#### DISABLED

The amendment by Congress in 1950 of the Social Security Act recognized the Nation's responsibility in relieving the situation of a hitherto neglected group of citizens, the permanently and totally disabled. It was your decision in a special session I called in September of the same year, and at the last regular session, that the State's participation in a program of aid to this group of our citizens—and acceptance of federal grants towards it—should be deferred. Fantastic estimates of cost were given to the Legislature by opponents of the program on both occasions to prove that the cost would be excessive. These estimates ran as high as \$100,000,000 annually for California. Since then there has been an opportunity to test the estimates made both by the advocates of the program and those who opposed it at the time. Even the proponents were too high in the light of experience.

At present, 34 states, three territories, and the District of Columbia have the program. In 1951-52 the total cost in all of these was \$67,000,000. New York, which spent the largest amount, disbursed \$9,000,000 in this category during fiscal 1952. We now estimate that for the first year the program would cost \$11,884,000 in California, of which the State's share would be \$5,504,000, the federal share \$5,464,000, and the aggregate share of the counties, \$910,800. The contribution of the counties, however, would be offset by a transfer of recipients of general relief,



to whom \$2,400,000 would have been paid as indigents. The counties will really gain by a matter of a million and a half dollars.

All the large industrial states have instituted the program with the exception of California. If anyone in our society is deserving of the help of his government, it seems to me it is a needy person who is totally and permanently disabled. We must take care of them in some fashion, so why not do it humanely? I firmly believe that the people of our State will agree that it is a responsibility which should not be deferred any longer.

#### MEDICAL CARE

The problems of public health and medical care are always with us. We have done much in the field of public health in recent years and except for an epidemic of encephalitis which attacked 754 persons and took the lives of 46, we have had a good year. The continuance of present activities, with additional emphasis on mosquito control in the Central Valley, should be an adequate program.

There is, however, one weakness in our public health program because 16 of our less populous counties, representing 220,000 people, are unable to have a full-time health officer as do the other counties of the State. I believe that this situation could be remedied without additional cost to the State Government by authorizing the Department of Public Health to contract with these counties for the requisite services. This is not just a local problem because many of these counties are in our finest recreational areas, and an epidemic that would spread state-wide could well originate there. I recommend that legislative approval be given for such contracts.

In the field of medical care the basic problem is still with us. Medical costs are beyond the ability to pay of a large percentage of our families. I believe it is the responsibility of State Government to be interested in this phase of human welfare. Heretofore I have offered specific bills to remedy the situation. You have not given your approval to them. I urge you this time to give consideration to the problem, adopting whatever means you believe may be for the best interests of our people. I repeat to you now what I have said on many occasions—that I am not committed to any particular method of accomplishing the result. I do not want to socialize medicine. All I want to see done is to bring the cost of medical care within the means of people in the low and modest income brackets. I will cooperate with you in every reasonable way to accomplish that result and to bring to innumerable families a measure of happiness and security that they never have yet felt.

#### CHILD CARE CENTERS

At every regular session of the Legislature since 1943, the policy of maintaining state-supported child care centers has been reaffirmed for the succeeding two years. I am of the opinion that the authorization of the program should be adopted as a continuing statute at this session. It is quite apparent that the centers will be needed for some time to come. In the meantime, it is difficult to staff them because the employees cannot rely on anything but short term authorization. There have been occasions when they did not know until a few days before the termination of a two-year authorization whether they would have jobs or not. This is extremely unsatisfactory from an administrative point of view,

and should be corrected. This will not deprive the Legislature of the opportunity to terminate the program at some time in the future, but will eliminate the present recurring and purposeless uncertainty.

#### **VETERANS**

We welcome home our veterans who have been discharged from service in the Korean War, and I am sure we want them to have all the benefits provided for veterans of prior wars. This already has been accomplished with one exception—educational benefits. I therefore recommend that the benefits of our veterans' educational program be extended to the veterans of the Korean War.

The California commanders of the four national veterans' organizations are deeply concerned because of the decreasing number of beds available in California hospitals under the Veterans Administration. They have called to my attention the fact that the number has been decreased by 2,000 since June, 1950, in spite of the fact that our veteran population in California has increased to 1,750,000. They point out that we now have 4,600 veterans in our state mental hospitals and that these veterans would be entitled to hospitalization by the Federal Government for their service-connected disabilities if it had the facilities here. Certainly these veterans and others in need of care are entitled to it under the Veterans Administration. I recommend that you consider the desirability of memorializing Congress to provide veterans' facilities in California commensurate with our veteran population.

#### **POLITICAL AND ECONOMIC EQUALITY**

Our Country has just gone through a national campaign in which both great political parties urged that something should be done to advance the cause of political and economic equality. The party to which I belong, and which was successful in the national election, took the position that this action should very largely be the responsibility of State Government. Both parties advocated that the states assume a primary responsibility in this regard. I believe the time is here for everyone, regardless of party, to take cognizance of the problem, and do whatever is necessary to insure economic as well as political equality as a fact instead of a mere theory.

#### **LABOR-MANAGEMENT RELATIONS**

Labor-management relations in California since your last regular session have been characterized by a spirit of good will and both labor and management have cooperated with our State Government. Our record of work stoppages compares favorably with any of the industrial states of the Union. I attribute this largely to the fact that through the years the Legislature has not enacted punitive or retaliatory legislation. This has proved to be sound policy and I recommend its continuance during this session as our best assurance of good labor-management relations.

#### **EMPLOYMENT SECURITY**

While we are among the most forward looking states of the Nation in the field of workmen's compensation and unemployment insurance, I believe it is necessary constantly not only to improve the administration of them so as to effect economies and protect the funds from misuse, but

it is also essential to keep them geared to current economic conditions, and I recommend that this be done at this session. The unemployment insurance fund is now at an all-time high, but under present law, there will be a drastic reduction of contributions immediately. The question of whether the fund should be diminished in times of almost full employment at the risk of increasing contributions in times of widespread unemployment is questioned by some employers and I believe it should be seriously considered by you.

The unemployment insurance system is a growing one. It started with a limited number of employees and has been expanded from time to time. There are still many additional workers with substantial attachment to the labor market who are outside the program, and it is time we consider their needs. I believe we must agree that if unemployment insurance is good for some working people, it is good for all. I therefore suggest that we cover, without further delay, employees of nonprofit, religious and charitable organizations, and domestic workers in private households. I also recommend, as I did two years ago, the coverage of farm workers who have relatively stable employment and who are already covered under the Federal Old Age and Survivors Insurance program.

#### CRIME COMMISSION

The Crime Commission has completed its work and will submit its final report to you in a few days. The cooperation between the commission and the Attorney General's Office has been most gratifying and together the two agencies have done an excellent job. The commission is discharged with thanks and in accordance with my statement at the time it was constituted, I shall not ask for its renewal.

#### CIVIL DEFENSE

The world situation has not changed for the better and the civil defense requirements of two years ago exist today. An aggressive civil defense program is a minimum requirement for the protection of our people in case of an atomic attack. I recommend a continuance of the existing program, with a readiness to conform to any new federal policy that might be adopted.

#### YOUTH AUTHORITY

The work load being handled by the present Youth Authority—which consists of three members, one of whom is the director with vast administrative duties—has become intolerable. Last year they traveled 47,000 miles to attend meetings and disposed of an average of 55 cases per day. This is altogether too many cases to handle well. Two more members should be added in order to equalize the burden and to make it possible for the authority to give more thorough-going attention to the individual cases coming before it.

#### EDUCATIONAL TELEVISION

During the past year the Federal Communications Commission reached a decision of tremendous potential significance when it reserved for educational purposes approximately 10 percent of the number of television channels that can be put on the air in the United States. Eight of these channels were allocated to California. Only the channel in the Los Angeles



area has been taken up, and the remaining seven can be allotted to commercial purposes and be lost to education unless there is prompt action concerning them.

I am firmly convinced that both progress and economy can be served by utilizing television in our educational programs. It is an historic opportunity. It should be explored thoroughly and with the utmost care.

#### WATER RESOURCES

The basic need of both agriculture and industry in California is water. The greater the population of our State, the more intensified agriculture becomes, the more widespread industry is, the greater the strain is upon our water resources and the greater the water problem becomes for all our people. We must continue to develop and conserve our water resources until every drop that falls in our State is made available for beneficial use.

We have many millions of acre-feet of good mountain water running wastefully to the sea in Northern California each year. This water conserved could make garden spots out of vast areas in the more arid parts of our State. It behooves us, therefore, to press for completion of both federal and state projects now authorized, and to initiate new ones until all our streams are harnessed and regulated for the public good. It is of equal importance not to forget for one moment the interrelation and interdependence of water and land. We must continue to improve our watershed and forest land fire protection system, our forest practices program, our range land improvement work and our soil conservation program.

Specifically, we should advocate appropriations for authorized units of the Central Valley Project and authorization for new units. We should take the same action concerning the flood control projects authorized by the Federal Government and should implement them by financing the local costs in accordance with existing state policy.

We should press for an early decision in the Supreme Court of the United States of the Colorado River case between Arizona and California in order that both states may know at the earliest possible date which portion of the water of the Colorado belongs to each. Such a final decision will enable both states to plan for the future in an orderly way.

The Feather River Project authorized by the Legislature in 1951 is a great state-wide program that can benefit most parts of the State. It is truly a state-wide water development. The field studies, for which you appropriated \$800,000 in 1951, are progressing and I shall ask in the budget for another appropriation to continue the work in the next fiscal year.

The Division of Water Resources at your direction is also studying the question of eventual state ownership of the Central Valley Project. This study will continue in the next fiscal year with funds already appropriated by you.

For many years a salt water barrier has been advocated for San Francisco Bay. It is a controversial subject. Studies of various phases of the proposal have been made through the years by the United States Bureau of Reclamation and by departments of our State Government, but there still is no agreement concerning the feasibility of such a barrier. Many people are sincerely of the opinion that it would materially



benefit agriculture, industry, and the communities and counties bordering on the Bay and that it has not been adequately studied. The project, if feasible, would be of such great importance to the Bay area that I believe the Legislature would do well to have the State Division of Water Resources make a definitive study of it in order to determine its practicability. I so recommend.

The ramifications of our water problems and the imminence of state administrative functions in connection with projects like the Feather River Project, indicate to me the necessity of establishing in the State Government a Department of Water under a director, with such policy-making and advisory boards as may be necessary to broaden the base and give state-wide leadership in all our water problems. We now have the following water agencies operating almost completely independent of one another and without any directing or coordinating authority:

Division of Water Resources—Department of Public Works;

State Water Resources Board;

State Reclamation Board;

State Water Project Authority;

Colorado River Board;

San Luis Rey Water Authority;

State Water Pollution Control Board;

California Districts Securities Commission;

Nine Regional Water Pollution Control Boards;

Bureau of Sanitary Engineering—Department of Public Health.

Most of these agencies have at times negotiated with the Federal Government on particular projects and in this field could function independently of one another. However, if the State is actually to construct and administer great multiple-purpose projects, a strong administrative agency will be essential. I realize that this is not only an important undertaking but that it involves many problems. I believe there is no time better than the present to start working on it. I therefore commend it to your thoughtful consideration.

#### HIGHWAYS

I have left to the last a discussion of highways, not because it is of lesser importance, but because I believe I can emphasize the problem better here than in any other part of this message.

The highway traffic situation in California today presents a very serious problem to all of us. This is true for a very simple reason. There is not enough lane capacity in the State to carry our traffic load of 5,600,000 motor vehicles and there is not enough money available from present revenues to provide the needed construction.

As a result, we are beset by congestion, the inconvenience of delay and the tragedy of an abnormal number of traffic accidents resulting in death or injury. In 1952 alone, 3,600 of our people were killed in this way and 110,000 were injured. If we should allow these conditions to become worse we could face a traffic paralysis that would stifle our economy and make our highways a fearsome thing for all our people.

The Collier-Burns Bill, enacted by the Legislature in the 1947 Session, provided additional money for California's roads and highways and there has been a marked improvement with those funds, particularly on the State Highway System. During the intervening years, improvement

has been accomplished on 4,000 miles of our state highways, 578 miles of which are now divided multilane freeways and expressways. Over 700 bridges have been constructed as a part of this large improvement program.

This work has extended throughout the State, but the progress is not fast enough. There are too many heavily congested highways in both urban and rural areas where improvement is not in sight for many years. There is extremely serious congestion on practically all state highways within the limits of our large cities and metropolitan areas that can only be relieved through the construction of metropolitan freeways. It has been shown that with the funds which will accrue under the terms of the Collier-Burns Bill, it would take in excess of 30 years to make the improvements throughout the State that were required at the time of its passage. In some of the important counties, the period of time required under the terms of the bill would be greatly in excess of 30 years. It is generally agreed, I believe, that this is a situation which cannot be tolerated in California. An adequate highway system is perhaps of greater importance to California than to any other large state. The movement of most of our natural resources—lumber, mineral products, and various agricultural products—to the markets and processing plants is by motor trucks. The movement to and from our widespread recreational areas is largely by automobile. Our school children ride to and from school on school busses throughout the State. We are truly a state on wheels and our economy is built around the motorcar.

The lack of adequate highway facilities is a costly condition. This cost that piles up from day to day and year to year is reflected in many ways: maintenance costs go up and up to keep our worn-out road surfaces and obsolete grades and alignments in usable condition. Rights of way that must be purchased sometime increase in cost by leaps and bounds. I am advised that there is an ultimate saving of perhaps \$100,000,000 to be made by purchasing now the rights of way that are necessary for roadway expansion. In many instances throughout the State, industrial expansion and subdivision development are being held back while highway locations are awaiting definition; while in other instances and likewise all over the State, industry and subdivisions are going ahead regardless of the fact that this will increase our ultimate costs tremendously. The statement by the United States Commissioner of Public Roads, Thomas H. MacDonald, that "You pay for good highways whether you have them or not, and when you don't have them you probably pay more than if you do," certainly applies to California.

There is little if any difference of opinion between the experts concerning the extent of our deficiencies. The National Automotive Safety Foundation acting for your Joint Legislative Committee corroborates the findings of our own Division of Highways. They are also in substantial agreement on the amount of money necessary to supply these deficiencies. They are also in agreement that a billion dollars in new money over a period of 10 years is necessary to supply our deficiencies. They are also agreed that the department could efficiently administer this additional \$1,000,000,000 10-year program. It is calculated by both groups of experts that this program would cost the average motorist less than 20 cents a week. This could be accomplished by an increase in fuel taxes and other highway user taxes and still not put us out of line with

such taxes in other western states because these taxes in California are generally lower than those of other states throughout the Nation.

There will be general agreement, I believe, that our needs are great and that we have a large backlog of accumulated work to overcome quickly. At the same time there will be general agreement that we should plan carefully to do the most needed work first, and that we should do those things first that will give the greatest relief to the greatest number of people throughout the State. The records of the Division of Highways show that the greatest and only permanent relief to the present traffic congestion through all parts of the State is accomplished through the construction of multilane freeways. The value of this type of highway has been proved in California. It is no longer in the experimental stage. Its value to traffic and to the State as compared with the average city street is summed up by Professor Ralph A. Moyer of the University of California in these concise terms: "It increases capacity five times; it reduces traffic accidents by four-fifths; it cuts vehicle costs by one-third; and it reduces time costs from one-fourth to one-half."

Certainly, therefore, in your deliberations concerning this very pressing highway traffic problem, the Legislature should give careful consideration to a major or main-line freeway system that will serve all parts of the State to the greatest advantage; the great metropolitan areas where the traffic congestion is most severe, direct connection between these metropolitan areas and other centers of population, state-line connections where the inflow of traffic is heavy, north-and-south connections between Mexico and Oregon, and east-and-west arteries between California's large cities and Nevada and Arizona. Such a freeway system would be an asset to our people and our State that cannot be measured in dollars alone. It would be an incalculable benefit to our industry, to our mineral, agricultural, and recreational resources.

I conclude, therefore, that we are not confronted with a problem impossible of solution. Our need is great; we admit that. The cost in total is large; we admit that. But calculated in terms of daily use it is within our means and our ability to pay. We have the manpower; we have the materials; we have all the equipment. All that we need to do this job is the will to do.

#### HIGHWAY PATROL

One final word on highways. It has to do with traffic safety. Our accident record is appalling. It can be and has been demonstrated that more officers riding the highways can cut traffic accidents to a fraction. You have allowed a few more patrolmen in each budget but in the aggregate hardly enough to compensate for the manpower lost by the change to the 40-hour week. I believe with all my heart if you will give the Highway Patrol a sizable number of additional patrolmen that we can save many lives every month of the year. This in itself would be justification for the legislative session of 1953.

#### ADJOURNMENT OF JOINT CONVENTION

At 4.15 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.



## REASSEMBLED

At 4.20 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 2:** By Senator Tenney—Relative to the death of Mrs. Goodwin J. Knight.

## Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

**Senate Concurrent Resolution No. 2**—Relative to the death of Mrs. Goodwin J. Knight.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 3:** By Senator O'Gara—Relative to the death of the Honorable Roy Fellom.

## Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

**Senate Concurrent Resolution No. 3**—Relative to the death of the Honorable Roy Fellom.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 4:** By Senator Hoffman—Relative to the death of the Honorable Bradford S. Crittenden.



**Request for Unanimous Consent**

Senator Hoffman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4 at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4**

**Senate Concurrent Resolution No. 4**—Relative to the death of the Honorable Bradford S. Crittenden.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolutions were offered:

**Senate Concurrent Resolution No. 5:** By Senator Hatfield—Relative to the continuance of joint committees.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 6:** By Senator Thompson—Relative to the continuance of the Joint Legislative Committee on Soil Conservation.

Referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Concurrent Resolution No. 7:** By Senator Dorsey—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7**

**Senate Concurrent Resolution No. 7**—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the 4th day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson,

Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—31.  
NOES—None.

Resolution ordered transmitted to the Assembly.

### RESOLUTIONS

The following resolutions were offered:

By Senator Williams:

#### Senate Resolution No. 12

Relating to the continuance of the Senate Interim Committee on Fish and Game

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Fish and Game created by Senate Resolution 153 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the money heretofore made available to the committee, the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the contingent fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Williams:

#### Senate Resolution No. 13

Relating to a study of a tract of land known as the Dillon-Wood Tract in Tulare County

*Resolved by the Senate of the State of California.* That the Department of Natural Resources be requested, instructed, and directed to make a study of what is in the tract of land known as the Dillon-Wood Tract in Tulare County, and determine if any part of the tract could be utilized by the Division of Forestry (on a natural resources basis), or by Beaches and Parks, as a state park (for recreation purposes); and be it further

*Resolved,* That the Department of Natural Resources is hereby instructed and directed to make a report to the Senate prior to April 1, 1953, which report shall contain the findings developed by the study and whether the purchase of the tract with public money would be justified.

Resolution read, and referred to Committee on Rules.

### ADJOURNMENT

At 4:25 p.m., on motion of Senator McBride, the President declared the Senate adjourned until 11 a.m., Tuesday, January 6, 1953, out of respect to the memory of Mrs. Goodwin J. Knight, Hon. Roy Fellom, and Hon. Bradford S. Crittenden.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, January 6, 1953

The Senate met at 11 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Collier, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Desmond and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Rex E. Young, USAF, Sacramento, and Lt. William E. Barbeau, USAF, Sacramento.

## COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

## Letter of Transmittal

SENATE INTERIM COMMITTEE ON "24 HOUR SCHOOLS"

CALIFORNIA LEGISLATURE, SENATE CHAMBER

SACRAMENTO, January 5, 1953

*Hon. Goodwin J. Knight, President of the Senate*  
*Senate Chamber, State Capitol*  
*Sacramento, California*

MR. PRESIDENT: Your Interim Committee on 24-hour Schools was created by Senate Resolution No. 212 of the 1951 Regular Session of the California Legislature, and the following members were appointed and are now serving on said Committee, to-wit:

Jess R. Dorsey, Chairman	-----34th District
H. R. Judah	-----23d District
John F. Thompson	-----18th District

There is herewith submitted the Preliminary Report of the Committee, and the findings and recommendations of the California Council for Special Education, an affiliation of the state-wide organizations therein set forth, interested in Child Welfare, with the request to this Committee that the latter be forwarded to the entire membership of the California Legislature, with which request this Committee has complied.

Respectfully submitted,

JESS R. DORSEY, Chairman

Letter of transmittal ordered printed in the Journal, and report in the Appendix of the Journal.

CALIFORNIA CODE COMMISSION

STATE CAPITOL, SACRAMENTO, December 30, 1952

*Mr. President pro Tempore*  
*State Senate, State Capitol*  
*Sacramento, California*

SIR: The California Code Commission is pleased to submit to the Legislature its report on unused district laws. This report is filed as requested by Senate Resolution No. 220 of the 1951 Regular Session of the Legislature.

Very truly yours,

GERALD H. HAGAR, Chairman

Letter of transmittal ordered printed in the Journal, and the report filed with the Secretary of the Senate.

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, January 15, 1953

*Hon. Harold J. Powers*  
*President pro Tempore of the Senate*  
*Senate Chamber*

DEAR SENATOR POWERS: I am pleased to transmit herewith a copy of the 1953 Report of the Legislative Counsel on Needed Revision of the Statutes.

Very truly yours,

RALPH N. KLEPS  
 Legislative Counsel

Letter of transmittal ordered printed in the Journal, and the report filed with the Secretary of the Senate.

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, January 5, 1953

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

DEAR MR. BEEK: There is submitted herewith a list of statutes, each of which contains a duration clause limiting its effective period. We have included only those



statutes which will require action at the 1953 Regular Session of the Legislature if their provisions are to be extended.

In each case, the author has been notified of this fact.

Very truly yours,

RALPH N. KLEPS  
Legislative Counsel  
By CHAS. W. JOHNSON  
Chief Deputy

Letter of transmittal ordered printed in the Journal, and the report filed with the Secretary of the Senate.

**Request for Unanimous Consent**

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Milk Control Law printed in the Journal:

**OPINION OF THE LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
Sacramento, California, December 30, 1952

*Hon. George J. Hatfield*  
*Box 818*  
*Newman, California*

*Milk Control Law—No. 3658*

DEAR SENATOR HATFIELD: You have directed our attention to the following statements which appear on page 7 of the publication "Pricing Intermarket Transfers of Bulk Grade A Cream and Skim Milk," Bulletin 732, California Agricultural Experiment Station:

"Prices to be paid producers, by use classification, and rules and regulations are set forth in the Stabilization and Marketing Plan drawn up for each marketing area. Each of these plans contains the statement that the prices provided for relate to payments to be made by "each distributor within this State, who reserves or otherwise handles fluid milk for distribution within the [specified] marketing area \* \* \* \*". This has been interpreted by the Bureau and by the industry to mean that control over prices provided by the milk control laws extends only to those supplies received as *whole milk* and disposed of within the various classifications in a *single marketing area*. Under such interpretation, whole milk received by a plant and separated into cream and skim milk which are shipped to plants in *other* marketing areas does not come under Bureau of Milk Control jurisdiction. At the present time, therefore, these intermarket shipments of Grade A cream and skim milk are the only phases of the market milk industry that are not subject to rigid pricing regulations."

You have asked us if this interpretation is correct and also if any legislation is necessary to close the "loophole."

In our opinion the "loophole," if any, exists in the marketing plans rather than in the law. No amendment to the law appears necessary but perhaps some or all of the marketing plans should be amended.

Under Section 735.2 of the Agricultural Code\* the Director of Agriculture enforces the provisions of "this chapter" (Ch. 13, Div. 4, Ag. C.) and any stabilization and marketing plan initiated pursuant to the chapter. The Bureau of Milk Control presumably exercises all of the powers of the

\* All section references are to the Agricultural Code.

director under the chapter and therefore it should enforce not only the various plans but also the provisions of the chapter which are independent of the plans.

We think that it is clear that in enacting the milk control provisions the Legislature did not contemplate that the State should be divided into mutually exclusive marketing areas, but rather that inter-area transactions were to be permitted. The development of conditions of monopoly is not permitted or authorized (Sec. 735.1, last paragraph). No marketing plan is to involve a limitation upon production (Sec. 736.4). When fluid milk is sold by a distributor within a marketing area the price paid the producer shall be that for the area where the milk is sold (Sec. 736.3, subd. (a), paragraph 7).

While the provisions relating to fixing prices relate, in terms, to the prices for fluid milk and fluid cream, the prices fixed for fluid milk are not necessarily prices for whole milk.

Section 735.3, subdivision (b), defines "fluid milk" to mean any whole or concentrated milk that is *produced* in conformity with applicable health regulations for market milk at the place where such milk is consumed. This, it will be noted, goes to the production of the milk and simply requires compliance with the market milk requirements as to its production.

Fluid milk is then classified into Classes 1, 2, and 3. Class 1 is fluid milk or the cream thereof supplied to consumers as market milk or market cream or any combination of such milk or cream. It is also any market milk not packaged in hermetically sealed containers. It is also any *dairy product* in which the use of market milk is required. Lastly, it is fluid milk or fluid cream used to standardize market milk. (Sec. 735.3, subd. (b), 2d paragraph, Ag. C.)

Thus, Class 1 fluid milk includes any dairy product requiring the use of market milk. Dairy product is defined to include any product manufactured from milk or any *derivative or product* of milk (Sec. 735.3, subd. (d), Ag. C.). It seems clear that both cream and skim milk are derivatives of milk and consequently are dairy products. Since dairy products are within the definition of Class 1, and since both Grade A cream and Grade A skim milk would have to be produced from market milk, both Grade A cream and Grade A skim milk would be Class 1 fluid milk under the definition of the latter term.

Therefore, it would seem that any provision relating to Class 1 fluid milk would, so far as the code is concerned, apply also to Class 1 cream and Class 1 skim milk.

Among the mandatory requirements for the stabilization and marketing plans is one that it shall contain provisions whereby the Director of Agriculture designates and prescribes or provides methods for designating and prescribing minimum prices to be paid by distributors for fluid milk *in one or more of the various classes*. (Sec. 736.3, subd. (b)). The other classes are Class 3, which is milk used for manufacturing butter or cheese, except cottage cheese, and Class 2, which is milk used in any form not covered by Class 1 or Class 3. (Sec. 735.3, subd. (b)).

It will be noted that the classes depend upon the use to which the milk is put. Thus, while in order to be fluid milk at all the whole milk (or the

whole milk which is concentrated) must be *produced* in the manner required for the *production* of market milk. However, Class 1 fluid milk is still within the definition of fluid milk when a derivative such as cream or skim milk is involved.

The code specifically authorizes the establishment of the prices for the respective classes of fluid milk on the basis of the milk fat therein or the skim milk or a combination of both (Sec. 735.3, 5th paragraph).

When, as apparently the case in some if not all of the plans, the Class 1 price is based upon the milk fat only, the milk is separated into cream and skim milk in the area where purchased, and both are then sold in another area or areas, it seems to us that the price for fluid milk in the area where the cream is sold would govern the price to be paid the producer. Despite the fact that the substance has become "fluid cream" it still remains within the definition of Class 1 fluid milk because Class 1 fluid milk includes the derivatives of the milk.

Since, however, when the price is based on milk fat alone the value of the skim milk is not considered, there are no facilities whereby the producers may get any advantage from the sale of the skim milk. It seems to us that in such cases the producer, in effect, makes a gift of the skim milk to the distributor. Since the value of the skim milk is not considered in the price paid the skim milk cannot be followed into another area for the purpose of fixing the producer price.

The code, however, now authorizes the basing of the price upon either the milk fat or the skim milk or both. If the price were based upon a combination of both it seems to us that each could be followed into another area or areas and the producer price adjusted accordingly.

Therefore, it does not seem to us that there is any "loophole" in the law. Either the law has been misinterpreted or the stabilization and marketing plans have not been devised to take advantage of the things that the law permits.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By JOSEPH W. PAULUCCI, Deputy

#### RESOLUTIONS

The following resolution was offered:

By Senator Brown:

##### Senate Resolution No. 14

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly seven days per week, beginning Monday, January 5, 1953, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same:

Cleve V. Taylor, Chief Assistant Secretary	\$16.50
Leslie W. Miller, Assistant Secretary	13.20
Petronella Rollins, Assistant Secretary	13.20
G. A. Spaulding, History Clerk	13.20
N. L. Levering, Journal Clerk	13.20
Laura D. Prentice, Engrossing and Enrolling Clerk	13.20
Rawlie Vandegrift, Chief Asst. Engrossing and Enrolling Clerk	12.10
Jacqueline Anderson, Asst. Engrossing and Enrolling Clerk	11.00
Norva Muse, Assistant Engrossing and Enrolling Clerk	11.00
Margaret Sweeny, Chief Stenographer	12.10



Florence I. Mason, Stenographer at Desk .....	\$13.20
R. W. Lyons, Assistant at Desk .....	11.00
Edward E. Paine, Indexing Clerk .....	13.20
Jack Jackson, Assistant Secretary .....	13.20
Bertram Silva, Amplifier Operator .....	11.00
James Heavenside, Assistant History Clerk .....	11.00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—33.

**NOES**—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 8:** By Senator Kraft—Relative to approving certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 4, 1952.

##### Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

**Senate Concurrent Resolution No. 8**—Relative to approving certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 4, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 9:** By Senator Desmond—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the fourth day of November, 1952.

##### Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, for consideration.



**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9**

**Senate Concurrent Resolution No. 9**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**President of the Senate Presiding**

At 11.30 a.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 5, 1953

*To the Honorable Members of the Senate  
State of California  
Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within ten days after the meeting of the Legislature, the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made.

Respectfully,

EARL WARREN, Governor

CECIL R. GEHR, a resident of Los Angeles, Chief of the Los Angeles County Fire Department, was appointed Member of the State Fire Advisory Board August 26, 1952, vice Spence D. Turner, resigned.

DWIGHT E. LITTLETON, a resident of San Bernardino, Chief of the San Bernardino City Fire Department, was appointed Member of the State Fire Advisory Board September 2, 1952, vice Elmer R. Thomas, resigned.

HEMAN G. STARK, a resident of Los Angeles, Chief of the Division of Field Services of the Youth Authority, was appointed Member of the Youth Authority September 2, 1952, vice Karl Holton, resigned.

DR. BERENICE I. STONE, a resident of San Diego, graduate of the University of Wisconsin Medical School, was appointed Member of the Board of Social Work Examiners September 8, 1952, vice Alice H. Boucher, deceased.

MRS. RUTH CHANCE, a resident of San Marino, graduate of the University of California, was appointed Member of the Social Welfare Board September 18, 1952, vice Ben Koenig, resigned.

WILMER M. MORSE, a resident of Sacramento, graduate of the University of California, Assistant Attorney General of the State of California, was appointed Member of the State Personnel Board December 5, 1952, vice Ralph H. Cowing, deceased.

HARLEY E. KNOX, a resident of San Diego, former Mayor of San Diego, sportsman, was appointed Member of the Fish and Game Commission December 19, 1952, vice Harvey E. Hastain, term expired.

RICHARD E. MITTELSTAEDT, a resident of Sacramento, former Adjutant General of California, Superintendent of the Division of Water of the City of Sacramento for fourteen years, Member of the Public Utilities Commission since August, 1946, was appointed Member of the Public Utilities Commission January 1, 1953, vice self, term expired.

STANLEY E. McCAFFREY, a resident of Berkeley, veteran of World War II, presently executive manager of the California Alumni Association of the University of California, was appointed Member of the California Veterans Board December 23, 1952, vice J. Eugene McAtter, resigned.

ALFRED P. CHAMIE, a resident of Los Angeles, Attorney at Law, veteran of World War II, was appointed Member of the California Veterans Board December 22, 1952, vice Louis H. Burke, resigned.

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 5, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

CECIL R. GEHR, a resident of Los Angeles; Chief of the Los Angeles County Fire Department; was appointed, effective August 26, 1952, as Member of the State Fire Advisory Board, vice Spence D. Turner, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Fire Advisory Board, vice self, for the term at the pleasure of the Governor.

DWIGHT E. LITTLETON, a resident of San Bernardino; Chief of the San Bernardino City Fire Department; was appointed, effective September 2, 1952, as Member of the State Fire Advisory Board, vice Elmer R. Thomas, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Fire Advisory Board, vice self, for the term at the pleasure of the Governor.

HEMAN G. STARK, a resident of Los Angeles; Chief of the Division of Field Services of the Youth Authority for the past nine years; graduate of the University of Montana; Member of the Board of State Probation and Parole Association; was appointed, effective September 2, 1952, as Member of the Youth Authority, vice Karl Holton, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1955.

DR. BERENICE I. STONE, a resident of San Diego; a graduate of the University of Wisconsin Medical School; was appointed, effective September 8, 1952, as Member of the Board of Social Work Examiners, vice Alice H. Boucher, deceased, as interim appointee pursuant to Section 1774 of the Government Code;

to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1954.

MRS. RUTH CHANCE, a resident of San Marino; a graduate of the University of California; was appointed, effective September 18, 1952, as Member of the Social Welfare Board, vice Ben Koenig, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1953.

WILMER M. MORSE, a resident of Sacramento; an attorney at law; graduate of the University of California and McGeorge College of Law; Assistant Attorney General of the State of California; was appointed, effective December 5, 1952, as Member of the State Personnel Board, vice Ralph H. Cowing, deceased, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Personnel Board, vice self, for the term prescribed by law, ending January 15, 1959.

HARLEY E. KNOX, a resident of San Diego; former Mayor of San Diego; sportsman; was appointed, effective December 19, 1952, as Member of the Fish and Game Commission, vice Harvey E. Hastain, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Fish and Game Commission, vice self, for the term prescribed by law, ending January 15, 1957.

RICHARD E. MITTELSTAEDT, a resident of Sacramento; former Adjutant General of California; Brigadier General in the United States Army during World War II; Superintendent of the Division of Water of the City of Sacramento for fourteen years; a Member of the Public Utilities Commission since August, 1946; was reappointed, effective January 1, 1953, as Member of the Public Utilities Commission, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

to the Public Utilities Commission, vice self, for the term prescribed by law, ending January 1, 1959.

STANLEY E. McCAFFREY, a resident of Berkeley; veteran of World War II; presently executive manager of the Alumni Association of the University of California; was appointed, effective December 23, 1952, as Member of the California Veterans Board, vice J. Eugene McAteer, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1955.

ALFRED P. CHAMIE, a resident of Los Angeles; attorney at law; veteran of World War II; Past Commander of the 17th District American Legion and vice president of the Los Angeles County Council of the American Legion; was appointed, effective December 22, 1952, as Member of the California Veterans Board, vice Louis H. Burke, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1953.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 10:** By Senator Grunsky—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the general state election held November 4, 1952.

#### Request for Unanimous Consent

Senator Grunsky asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

**Senate Concurrent Resolution No. 10**—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the general state election held November 4, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Ward, and Way—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 11:** By Senators Harold T. Johnson, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart,



Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—Relative to the death of the Honorable Jerrold L. Seawell.

#### Request for Unanimous Consent

Senator Harold T. Johnson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

**Senate Concurrent Resolution No. 11**—Relative to the death of the Honorable Jerrold L. Seawell.

Resolution read, and adopted on a rising vote of the following:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—36.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Ed. C. Johnson:

##### Senate Resolution No. 15

Relative to the creation of the Senate Interim Committee on Fish and Game

*Resolved by the Senate of the State of California, as follows:*

1. The Senate Interim Committee on Fish and Game is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to fish and game, the conservation and protection thereof, and all matters dealing with, relating to, or otherwise pertaining to fish and game including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until final adjournment of the 1955 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.



(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act, and to authorize its subcommittees and employees to meet and act, both within and without the State of California in the performance of its duties.

6. The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Tenney :

#### Senate Resolution No. 16

##### Relative to congratulating Jimmy McHugh

WHEREAS, Jimmy McHugh, often called "America's greatest love song composer," will celebrate his thirtieth anniversary as one of America's top song writers on Friday, January 9, 1953; and

WHEREAS, It is fitting that the Senate of the State of California should at this time honor Jimmy McHugh, a Californian by choice who has resided in Beverly Hills for 23 years, for his great successes in the field of popular music and for his numerous other activities; and

WHEREAS, Jimmy McHugh began his musical career as an office boy with the Boston Opera House where he became good friends with outstanding opera stars of that era; then from 1921 to 1929 he began his song-writing career as composer of the Cotton Club Shows in Harlem, during which time he composed such song hits as: "When My Sugar Walks Down the Street," "I Can't Believe That You're in Love With Me," and many other popular numbers, and

WHEREAS, In collaboration with Dorothy Fields, he wrote the famous "Blackbirds of 1928" with such song hits as: "I Can't Give You Anything But Love, Baby," "Digga, Digga, Doo," "I Must Have That Man," and "Porgy," and

WHEREAS, Jimmy and Dorothy wrote the last Ziegfeld Midnight Revue which introduced Maurice Chevalier to this country, and they followed this with the "International Revue" in 1930, starring Harry Richman and Gertrude Lawrence with the two great numbers: "On the Sunny Side of the Street," and "Exactly Like You," and

WHEREAS, In 1930, Jimmy McHugh and Dorothy Fields were signed by Metro Goldwyn Mayer where, as a team, they wrote for five years, composing such outstanding hits as: "Cuban Love Song," for Lawrence Tibbett; "My Dancing Lady," for Joan Crawford; "Dinner at Eight," "I'm Shootin' High," and a host of others; and

WHEREAS, They returned to Broadway and did the musical scores for "Singin' the Blues," "Clowns in Clover," and "The Palais Royale Revue," at which time McHugh introduced Phil Harris and his band with the great tune "Thank You for a Lovely Evening," and in 1940 McHugh did the musical score for "The Streets of Paris," which introduced to this country Carmen Miranda doing "The South American Way," and

WHEREAS, Jimmy then returned to Hollywood and wrote most of the musical scores for the Deanna Durbin pictures, writing such songs as "I Love to Whistle," "My Own," "You're Pretty as a Picture," "Say a Prayer for the Boys Over There," and many others, and he also wrote musical scores for Betty Hutton at Paramount, including "Murder, He Says," for Mary Martin, "Let's Get Lost," for Frances Langford, "I'm in the Mood for Love," and "I Feel a Song Comin' On," for Alice Faye, "You're a Sweetheart," for Lily Pons, "This Never Happened Before," for Gertrude Niesen, "Comin' In on a Wing and a Prayer," for Louis Armstrong, "I Couldn't Sleep a Wink Last Night," "The Music Stopped," and "This Is a Lovely Way to Spend an Evening," for Ginny Sims, "Can't Get Out of This Mood," for Perry Como, "Hubba, Hubba, Hubba," for Jane Powell, "It's a Most Unusual Day," and many others; and

WHEREAS, In 1948, Jimmy returned to New York and did the musical score for the "As the Girls Go" production, starring Bobby Clark, and writing for the show the hit tunes, "I Got Lucky in the Rain," "It's More Fun Than a Picnic," "There's no Getting Away from You," and

WHEREAS, Jimmy McHugh, with his partner, Harold Adamson, was commissioned by the Treasury Department to write both the 7th and 8th War Loan Drive official songs, and in the same patriotic spirit Jimmy produced a Bond Rally Aquacade at the Beverly Hills Hotel in 1945 where in one night's performance he sold \$28,000,000 worth of bonds, the largest such sale in one night, and as a result of his war work, in February, 1947, President Truman presented him with the Presidential Citation for his outstanding war songs and war bond work; and

WHEREAS, not only is Jimmy McHugh an outstanding figure in world of song-writing, but is recognized in the field of sports as one of America's greatest sponsors of amateur swimming, having been made a life member of the Amateur Athletic Union

of America and an honorary official of the 1948 Olympics, and in 1949, bringing to the country for the first time since the 1932 Olympics, the crack Japanese swimming team, and sponsoring them in one of the greatest A.A.U. meets ever held in this country; and

WHEREAS, Jimmy McHugh has shown a sincere interest in his community, having been elected a member of the Board of Directors of the Beverly Hills Chamber of Commerce in 1946 and its President in 1950, a member of the Board of Directors for the California Women's Symphony, the Advisory Board of the Los Angeles Philharmonic Opera Association, the Beverly Hills Y.M.C.A., and the Beverly Hills Youth Center; now, therefore, be it

*Resolved, by the Senate of the State of California, That Jimmy McHugh be congratulated on his thirtieth anniversary as one of America's top song writers; and be it further*

*Resolved, That the Secretary of the Senate is directed to transmit a suitably prepared copy of the resolution to Jimmy McHugh in Beverly Hills.*

Resolution read, and on a motion of Senator Tenney, adopted.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 1:** By Senator Dorsey—An act to amend Section 155.6 of the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 2:** By Senator Dorsey—An act to amend Section 1 of Chapter 15 of the Second Extraordinary Session of 1952, relating to the revision of budgets of cities, counties, and districts after the occurrence of an earthquake, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 3:** By Senator Dorsey—An act to amend Section 43005 of the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 4:** By Senator Dorsey—An act to amend Section 66j of the Code of Civil Procedure and Section 69585 of the Government Code, relating to the number of judges of the Superior Court in the County of Kern, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 5:** By Senator Dorsey—An act to amend Section 79.15 of the Code of Civil Procedure and Section 69655 of the Government Code, relating to the compensation of judges of the Superior Court in the County of Kern.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 6:** By Senator Dorsey—An act to amend Section 260 of the Code of Civil Procedure, relating to court commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 7:** By Senator Dorsey—An act to amend Section 28111 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 8:** By Senator Dorsey—An act to amend Section 411 of the Education Code, relating to the salary of county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 9:** By Senator Powers—An act to amend Section 28141 of the Government Code, relating to county governments.

Referred to Committee on Local Government.

**Senate Bill No. 10:** By Senator Powers—An act to amend Section 28151 of the Government Code, relating to county governments.

Referred to Committee on Local Government.

**Senate Bill No. 11:** By Senator Powers—An act to amend Section 28145 of the Government Code, relating to county governments.

Referred to Committee on Local Government.

**Senate Bill No. 12:** By Senator McBride—An act to amend Section 28118 of the Government Code, relating to the compensation of county officials.

Referred to Committee on Local Government.

**Senate Bill No. 13:** By Senator McBride—An act to amend Section 7802 of the Education Code, relating to school district public works.

Referred to Committee on Education.

**Senate Bill No. 14:** By Senator McBride—An act to amend Section 418 of the Education Code, relating to the compensation of county superintendent of schools.

Referred to Committee on Local Government.

**Senate Bill No. 15:** By Senator McBride—An act to amend Section 5801 and to repeal Article 10, Chapter 7, Division 4 of, and to add Chapter 12 to Division 4 of, the Education Code, relating to vocational rehabilitation.

Referred to Committee on Education.

**Senate Bill No. 16:** By Senator Coombs—An act making an appropriation to the Department of Public Works, relating to the repair of the stream banks of Putah Creek and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 17:** By Senator Coombs—An act making an appropriation to the Department of Public Works, relating to the repair of the stream banks of Putah Creek and the expenditure of money

appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 18:** By Senator Thompson—An act to amend the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the Division of Soil Conservation and of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Referred to Committee on Agriculture.

**Senate Bill No. 19:** By Senator Thompson—An act to add Article 10.5 to Chapter 3 of Division 9 of the Public Resources Code, relating to the inclusion of land in soil conservation districts.

Referred to Committee on Agriculture.

**Senate Bill No. 20:** By Senator Thompson—An act to amend Section 9265 of the Public Resources Code, relating to legal assistance to soil conservation districts.

Referred to Committee on Agriculture.

**Senate Bill No. 21:** By Senators Thompson and Abshire—An act to add Part 11.6 to Division 2 of the Revenue and Taxation Code, relating to the taxation of the privilege of severing timber.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 22:** By Senator Mayo—An act to amend Section 28150 of the Government Code, relating to the salaries of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 23:** By Senator Mayo—An act to amend Section 28154 of the Government Code, relating to the salaries of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 24:** By Senator Mayo—An act to amend Section 28146 of the Government Code, relating to the salaries of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 25:** By Senator Mayo—An act to amend Sections 79.5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of the judges of the superior courts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 26:** By Senator O'Gara—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Referred to Committee on Local Government.

**Senate Bill No. 27:** By Senator O'Gara—An act to repeal Section 533 of the Public Utilities Code, relating to the right of the commissioners, officers and employees of the Public Utilities Commission of the State of California, when in the performance of their official duties, to pass free of charge on all common carriers and providing for the continuation of



the authority now possessed by members, officers, employees, servants, and agents of said commission to go upon the property of any public utility and to ride upon any car, engine, vessel, vehicle, equipment, instrumentality or facility of such public utility, without charge or the presenting of a ticket or pass, when in the performance of their official duties in connection with the regulation of such public utility and ratifying and confirming such authority.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 28:** By Senator Cunningham—An act to amend Sections 117j, 117k, and 117l of the Code of Civil Procedure, relating to appeals from small claims courts.

Referred to Committee on Judiciary.

**Senate Bill No. 29:** By Senator Cunningham—An act to amend Section 274 of the Agricultural Code, relating to the importation of bees, used hives or appliances.

Referred to Committee on Agriculture.

**Senate Bill No. 30:** By Senator Cunningham—An act to amend Section 284 of the Agricultural Code, relating to the spread of bee diseases.

Referred to Committee on Agriculture.

**Senate Bill No. 31:** By Senator Cunningham—An act to amend Section 281.6 of the Agricultural Code, relating to wax-salvage operations.

Referred to Committee on Agriculture.

**Senate Bill No. 32:** By Senator Cunningham—An act to amend Section 275.5 of the Agricultural Code, relating to transportation of bees.

Referred to Committee on Agriculture.

**Senate Bill No. 33:** By Senator Cunningham—An act to amend Section 275 of the Agricultural Code, relating to transportation of bees.

Referred to Committee on Agriculture.

**Senate Bill No. 34:** By Senator Byrne—An act to amend Section 79.4 of the Code of Civil Procedure, relating to compensation of judges of the Superior Court in and for the County of Butte.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 35:** By Senator Byrne—An act to amend Section 28126 of the Government Code and Section 426 of the Education Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 36:** By Senator Desmond—An act to add Section 17137 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 37:** By Senator Desmond—An act to add Article 6A, comprising Sections 12850 to 12852, inclusive, to Chapter 6 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Local Government.

**Senate Bill No. 38:** By Senator Desmond—An act to amend Section 66n of the Code of Civil Procedure and Section 69593 of the Government Code, relating to the number of judges of the Superior Court in the County of Sacramento, providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 39:** By Senator Desmond—An act to amend Section 408 of the Education Code, relating to the compensation of the county superintendent of schools of a county of the eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 40:** By Senator Desmond—An act to add Sections 7113.5, 7113.6, and 7113.7 to the Health and Safety Code, relating to performing autopsies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 41:** By Senator Mayo—An act to add Chapter 3 to Division 1 of the Water Code, relating to financial assistance to agencies in development of the beneficial use of water resources of the State, flood control, protection of the quality of water, prevention of waste water, the incidental production of hydroelectric energy; and creating the State Water Project Development Fund; and authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, for the single object of creating a fund to provide financial assistance to agencies in development of the beneficial use of water resources of the State; and providing ways and means for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1954.

Referred to Committee on Water Resources.

**Senate Bill No. 42:** By Senator Mayo—An act to add Part 1.6 to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Referred to Committee on Water Resources.

**Senate Bill No. 43:** By Senator Mayo—An act to add Part 1.6 to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Referred to Committee on Water Resources.

**Senate Bill No. 44:** By Senators Hoffman, Thompson, and Sutton—An act to repeal Section 949 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 45:** By Senators Hoffman, Thompson, and Sutton—An act to amend Section 724, 724.5 and 724.7 and to repeal Section 723 of the Fish and Game Code, relating to catfish.

Referred to Committee on Fish and Game.

**Senate Bill No. 46:** By Senator Hoffman—An act to add Section 21 to the Flood Control Fund Act of 1946 (Statutes of 1946, First Extraordinary Session, Chapter 142), relating to the control of floods on the Calaveras River and Littlejohn Creek and tributaries and making an appropriation; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 47:** By Senators Hoffman and Thompson—An act to add Section 92.1 to the Agricultural Code, relating to a junior livestock show in 1-A Agricultural District.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 48:** By Senators Hoffman and Thompson—An act to add Section 19622.6 to the Business and Professions Code, relating to a continuing appropriation to 1-A District Agricultural Association for a junior livestock show.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 49:** By Senator Hoffman—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Referred to Committee on Agriculture.

**Senate Bill No. 50:** By Senator Hoffman—An act to amend Section 818 of the Agricultural Code, relating to potato standards.

Referred to Committee on Agriculture.

**Senate Bill No. 51:** By Senators Hoffman and Thompson—An act to amend Section 794 of the Agricultural Code, relating to cherries and containers thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 52:** By Senator Hoffman—An act to authorize the Director of Finance to grant to San Joaquin County rights of way for road purposes over the farm property of the Stockton State Hospital.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 53:** By Senators Hoffman and Thompson—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 54:** By Senator Williams—An act to amend Sections 10607, 10617, 10618, and 10619 of the Health and Safety Code, relating to delayed registration of vital statistics.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 55:** By Senator Williams—An act to add Section 1256 to the Water Code, relative to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 56:** By Senator Way—An act to add Section 5050.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 57:** By Senator Way—An act to add Section 506 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

**Senate Bill No. 58:** By Senator Way—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 59:** By Senator Way—An act relating to the State Highway System and providing for financing the construction and reconstruction of such system to modern standards at the earliest possible time.

Referred to Committee on Transportation.

**Senate Bill No. 60:** By Senator Desmond—An act to amend Section 73873 of the Government Code, relating to the number and compensation of the judges, officers, and attaches of the municipal court established in a district embracing the City of North Sacramento.

Referred to Committee on Local Government.

**Senate Bill No. 61:** By Senator Desmond—An act to amend Section 74182 of the Government Code, relating to the number and compensation of the judges, officers, and attaches of the municipal court established in a district embracing the City of North Sacramento.

Referred to Committee on Local Government.

**Senate Bill No. 62:** By Senator Parkman—An act to amend Section 66f of the Code of Civil Procedure and Section 69599 of the Government Code, relating to the number of judges of the Superior Court of the County of San Mateo, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 63:** By Senator Hoffman—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 64:** By Senator Thompson—An act to amend Section 66e of the Code of Civil Procedure and Section 69600 of the Government Code, relating to the number of judges of the Superior Court in the County of Santa Clara, providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 65:** By Senator Thompson—An act to amend Section 2421 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 66:** By Senator Ed. C. Johnson—An act to amend Section 23158 of the Government Code, relating to the boundaries of Yuba County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 67:** By Senator Breed—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 68:** By Senator Abshire—An act to add Section 5083.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 69:** By Senators Abshire, McCarthy, Busch, Way, and Coombs—An act to amend Section 5012 of the Public Resources Code, relating to public highways in state parks.

Referred to Committee on Natural Resources.

**Senate Bill No. 70:** By Senator Abshire—An act to amend Section 12 of the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district.

Referred to Committee on Water Resources.

**Senate Bill No. 71:** By Senator Abshire—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Sonoma, State of California, and the disposal of any right, title or interest of the State of California therein.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 72:** By Senator Abshire—An act to amend Section 11200 of the Health and Safety Code, relating to exemption of certain narcotics from the provisions requiring prescriptions for the issuance of narcotics.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 73:** By Senator Abshire—An act to add Section 39.9 to, to amend Section 407 of, to add Section 424 to, and to amend Section 427 of, the Fish and Game Code, relating to hunting licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 74:** By Senator Abshire—An act to amend Section 28120 of the Government Code and Section 79.49 of the Code of Civil Procedure, relating to compensation for services performed for counties of the twentieth class.

Referred to Committee on Local Government.

**Senate Bill No. 75:** By Senators Abshire, Coombs, McCarthy, O'Gara, Parkman, Thompson, and Gibson—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay.

Referred to Committee on Water Resources.

**Senate Bill No. 76:** By Senator Charles Brown—An act to amend Sections 17786, 17813, and 17817 of, and to add Sections 17314.5, 17314.7, 17784.7, and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 77:** By Senator Charles Brown—An act to repeal Sections 1350, 1352, and 1352.1 of, and to add Sections 1350 and 1352 to, the Labor Code, relating to working hours of female employees.

Referred to Committee on Labor.

**Senate Bill No. 78:** By Senator Brown—An act to add Sections 526.5 and 526.6 to the Fish and Game Code, relative to protection of fish life in District 4½, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Senate Bill No. 79:** By Senator Brown—An act to amend Section 28147 of the Government Code, relating to compensation for public service in counties of the forty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 80:** By Senator Brown—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 81:** By Senator Brown—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 82:** By Senator Brown—An act to amend Section 458 of the Education Code, relating to compensation of the county superintendent of schools of a county of the fifty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 83:** By Senator Brown—An act to amend Section 457 of the Education Code, relating to compensation of the county superintendent of schools of a county of the fifty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 84:** By Senator Brown—An act to amend Section 447 of the Education Code, relating to compensation of the county superintendent of schools of a county of the forty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 85:** By Senator Erhart—An act to amend Section 1394.5 of the Labor Code, relating to entertainment by minors.

Referred to Committee on Labor.

**Senate Bill No. 86:** By Senator Byrne—An act to repeal Sections 8, 9, 10, 11, 12, 13, and 14 of, to add Sections 8, 9, 10, 11, 12, 13, and 14 to, and to amend Section 19b of, an act entitled "An act to promote drainage," approved March 18, 1885, relating to assessments by drainage districts.

Referred to Committee on Local Government.

**Senate Bill No. 87:** By Senator Thompson—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), relating to water district assessments.

Referred to Committee on Local Government.

**Senate Bill No. 88:** By Senator Desmond—An act to add Section 2117.6 to the Streets and Highways Code, relating to the use by counties of moneys received from the Highway Users Tax Law.

Referred to Committee on Transportation.

**Senate Bill No. 89:** By Senator Desmond—An act to add Chapter 4 to Division 4 of the Elections Code, relating to propositions submitted at district elections.

Referred to Committee on Elections.

**Senate Bill No. 90:** By Senators Hoffman and Desmond—An act to provide for the acquisition of rights of way and reconstruction of State Highway Route 4, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 91:** By Senator Murdy—An act to amend Sections 1 and 2 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Referred to Committee on Water Resources.

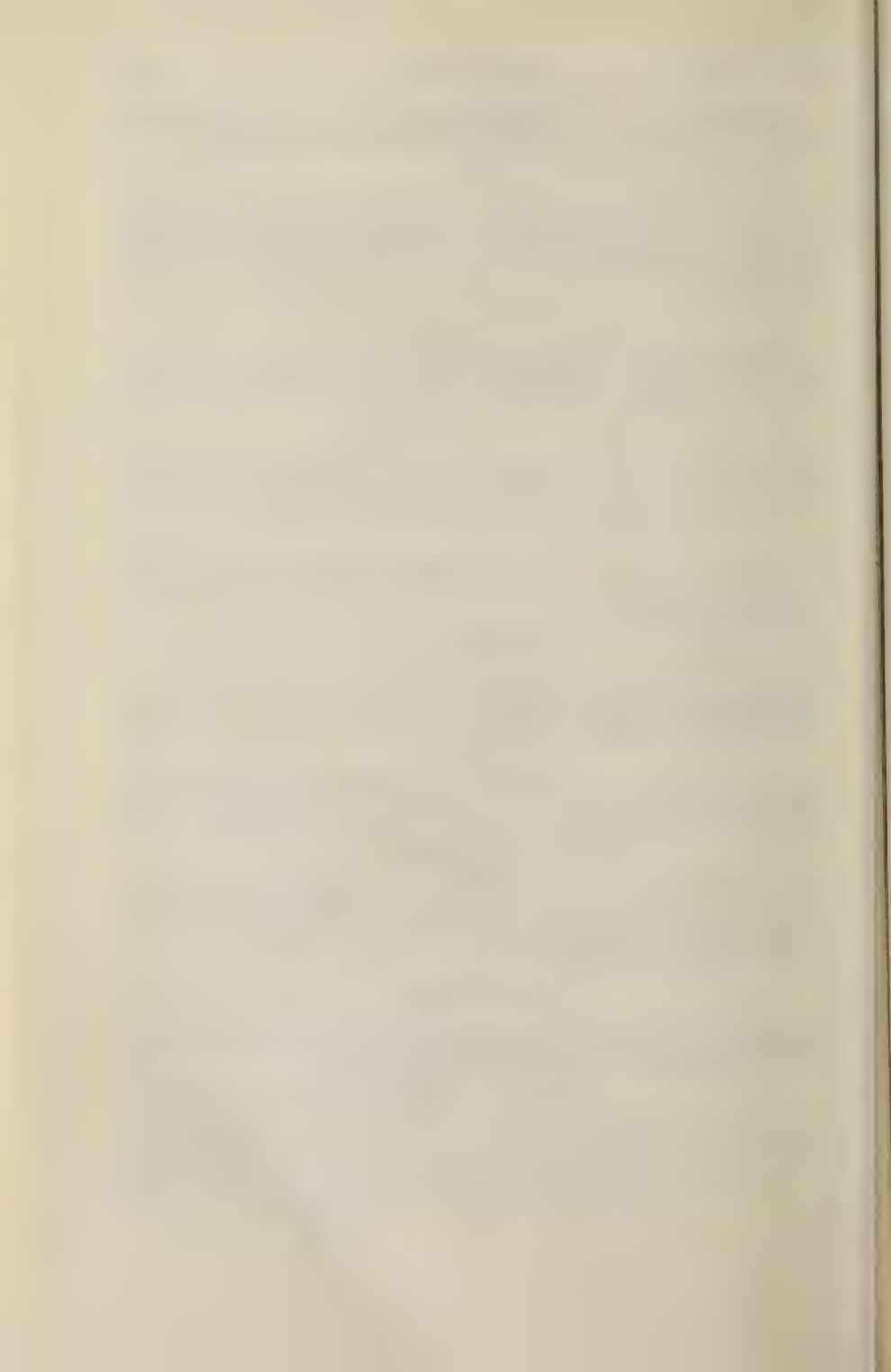
**Senate Concurrent Resolution No. 12:** By Senator Hulse—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Referred to Committee on Rules.

#### ADJOURNMENT

At 12.06 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., January 7, 1953, out of respect to the memory of the late Honorable Jerrold L. Seawell.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, January 7, 1953

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names :

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day :

Senator O'Gara, on motion of Senator Powers, on account of legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Anton Doko of Pismo Beach, and M. J. Hermack of Nipomo.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clifton Clemens of Wasco.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert M. Hoffman, and Laurel Hunt of Red Bluff, and James Higley of Spokane, Wash.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. Orley M. Berg of Los Angeles, James V. Scully of Riverside, Roy L. Benton of Glendale, and Stanley M. Jefferson of Glendale.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 92:** By Senator Williams—An act to amend Section 28115 of the Government Code and Section 415 of the Education Code, relating to compensation for public service in counties of the fifteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 93:** By Senator Williams—An act to add Section 2855 to the Health and Safety Code, relating to pest abatement districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 94:** By Senator Williams—An act to add Section 16330 to the Business and Professions Code, relating to the licensing of itinerant merchants.

Referred to Committee on Business and Professions.

**Senate Bill No. 95:** By Senator James E. Cunningham—An act to provide for the creation of a Colorado River Boundary Commission to confer with representatives of the State of Arizona with respect to the definition or relocation of the common boundary of said states, and to report concerning the same and concerning a compact between said states relative to the said boundary, and to provide an appropriation for the joint investigation of said boundary and for expenses of said commission, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 96:** By Senator Williams—An act to add Section 35400.5 to the Water Code, relating to powers and duties of districts formed pursuant to the California Water District Act or Division 13 of the Water Code.

Referred to Committee on Water Resources.

**Senate Bill No. 97:** By Senator Williams—An act to add Chapter 7 to Part 5 of Division 3 of Title 5 of the Government Code, relating to contracts between Community Service Districts and the Federal Government.

Referred to Committee on Water Resources.

**Senate Bill No. 98:** By Senator Sutton—An act to add Section 559 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 99:** By Senator Dorsey—An act to amend Section 1 of Chapter 1439 of the Statutes of 1951, relating to the municipal court in a district embracing the City of Bakersfield.

Referred to Committee on Judiciary.

**Senate Bill No. 100:** By Senator Desmond—An act to amend Sections 29193 and 29194 of the Government Code, relating to district budgets.

Referred to Committee on Local Government.

**Senate Bill No. 101:** By Senator Desmond—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents, by requiring insurance, a surety bond, or a deposit of securities; and to prescribe penalties for violations of this act.

Referred to Committee on Judiciary.

**Senate Bill No. 102:** By Senator McBride—An act to amend Section 6854 of the Public Resources Code, relating to leases of public lands for the production of oil and gas.

Referred to Committee on Natural Resources.

**Senate Bill No. 103:** By Senator Cunningham—An act to amend Sections 211, 213, 215, 726, 727, 816.5, 1061, 1062, 1063, 1065, 1066, 1067, 1068, 1073, 3501, 3511, 3513, 3514, 3515, 3517, 3541, 3571, 3572, and 3575 of the Public Utilities Code, to amend the heading of Chapter 1 of Division 2 and the heading of Article 1 of Chapter 1 of Division 2 thereof, to add Sections 796 and 1064.5 thereto, and to repeal Sections 214, 1072, 3516, 3518, and 3546, and Article 4 of Chapter 1 of Division 2, comprising Sections 3601 to 3606, inclusive, thereof, relating to highway carriers.

Referred to the Committee on Public Utilities.

**Senate Bill No. 104:** By Senator Ward—An act to amend Sections 13140 and 13144 of the Government Code, relating to refunds.

Referred to the Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 1:** By Senator Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XXVI thereof, relating to the use by counties of moneys paid to them out of highway revenues.

Referred to Committee on Transportation.

**Senate Constitutional Amendment No. 2:** By Senator Way—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to motor vehicle taxation and revenues.

Referred to Committee on Transportation.

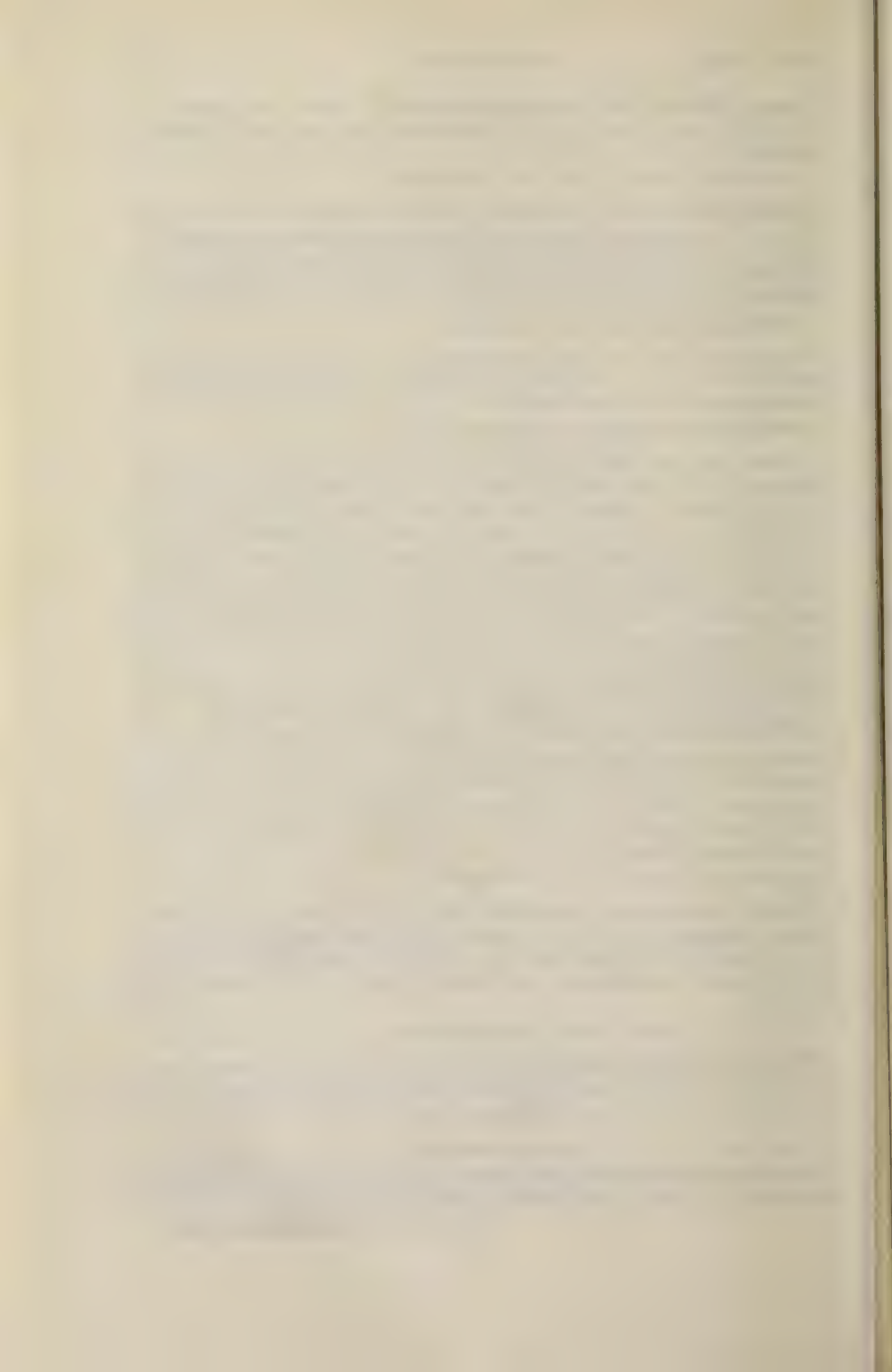
**Senate Concurrent Resolution No. 13:** By Senator Williams—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

#### ADJOURNMENT

At 11.25 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., January 8, 1953.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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**SENATE DAILY JOURNAL**

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FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

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**IN SENATE**

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SENATE CHAMBER, SACRAMENTO

Thursday, January 8, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

**ROLL CALL**

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

**PRAYER**

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day:

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John W. Holt of Arvin.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John J. Caplis, Sr., Hawthorne; John Hanley, Palo Alto, and Bill Hushaw, Glendale.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. L. Fitzpatrick, principal, Ray Hagaboom, bus driver, and the following students of the Consumnes River Union School's sixth, seventh, and eighth grades, at Sloughouse: Dorothy Cleveland, Theresa DeSoto, Margaret Granlees, Ha King, Joan Hahn, Brenda Moore, Gloria Crevantes, Arlene Cothrin, Sarah Newcomber, Tony Arjil, Gary Gilbert, Tadisa Nakatsuka, Larry Stockman, Raymond De La Cruz, Tom Namamura, Lester Nakashima, Harry Yamamura, Jerry Bonar, and Frank Mello.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Therold Marshall, U.S.A.F., Princeton, Calif.; George Zetkov, Ossining, N. Y., and Mrs. Louis G. Sutton, Maxwell, Calif.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Verne Hoffman of El Campo.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William H. Eipper of Sacramento.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas Gray and Sylvester McAtee of San Francisco.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 6, 1953

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

DEWITT NELSON, a resident of Sacramento; State Forester; Member of the California State Communications Advisory Board since October 17, 1947;

to the California State Communications Advisory Board, (representing State fire services), vice self, for the term prescribed by law, ending December 31, 1956.

CLIFFORD E. PETERSON, a resident of Sacramento; Commissioner of the California Highway Patrol; Member of the California State Communications Advisory Board since October 17, 1947;

to the California State Communications Advisory Board, (representing State law enforcement services), vice self, for the term prescribed by law, ending December 31, 1956.

Respectfully,

EARL WARREN, Governor

Message read, and referred to the Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolution ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1	Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 2	Assembly Concurrent Resolution No. 13
Assembly Concurrent Resolution No. 3	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

**Assembly Concurrent Resolution No. 1**—Relative to the death of Ernest C. Crowley.

Resolution read, and ordered placed on file.

**Assembly Concurrent Resolution No. 2**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general presidential and special municipal election held therein on the fourth day of November, 1952.

## Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

**Assembly Concurrent Resolution No. 2**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general presidential and special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 3**—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the general election held therein on the fourth day of November, 1952.

## Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3**

**Assembly Concurrent Resolution No. 3**—Relative to approving certain amendments to the charter of the City of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the general election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 10**—Relative to the approval of the charter of the City of Santa Ana, a municipal corporation, in the County of Orange, State of California, as voted for and ratified by the electors of the City of Santa Ana, at an election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10**

**Assembly Concurrent Resolution No. 10**—Relative to the approval of the charter of the City of Santa Ana, a municipal corporation, in the County of Orange, State of California, as voted for and ratified by the electors of the City of Santa Ana, at an election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Regan, Sutton, Tenney, Thompson, Way, and Weybret—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 13**—Approving a certain amendment to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fourth day of November, 1952.



**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13**

**Assembly Concurrent Resolution No. 13**—Approving a certain amendment to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—25.

**NOES**—Senator Sutton—1.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Senate Bill No. 68, at this time, for consideration.

**CONSIDERATION OF SENATE BILL NO. 68**

**Senate Bill No. 68**—An act to add Section 5083.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Abshire:

*Resolved*, That Senate Bill No. 68 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—30.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

**Senate Bill No. 68**—An act to add Section 5083.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Thompson, Way, and Weybret—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolutions were offered:

By Senators McBride and Hatfield:

**Senate Resolution No. 17**

**WHEREAS**, John Budd Long, Jr., has completed 25 years of service to the newspapers of the State of California, as general manager of the California Newspaper Publishers Association, and

**WHEREAS**, During these 25 years, under his management, the California Newspaper Publishers Association has grown from a small group of newspapers in one section of the State to become the largest state newspaper association in United States, and

**WHEREAS**, In addition to his services to the newspapers of California, John Budd Long, Jr., is the originator of National Newspaper Week, which now is observed throughout the Nation and proclaimed by the President of the United States and all governors of states, and

**WHEREAS**, During these 25 years, as part of his duties to the newspaper publishers of California, John Budd Long, Jr., has attended all sessions of the California Legislature, where his spontaneous wit and geniality has earned for him the affectionate regard of past and present Members of the Legislature, and

**WHEREAS**, His encyclopedic knowledge of the newspaper business has proven to be of great assistance to the Members of the Legislature in dealing with legislation affecting the fourth estate and has earned for him the respect due a man who efficiently performs his duties; now, therefore, be it

*Resolved*: That the Senate of the State of California, on this eighth day of January, 1953, offers its congratulations to John Budd Long, Jr., for the completion of 25 years of highly efficient service in his chosen life work and extend to him its best wishes for many more years of service to the newspapers of California and the Nation; and be it further

*Resolved*: That the Secretary of the Senate be, and is hereby directed, to have prepared a suitably engrossed copy of this resolution, and to present the same to John Budd Long, Jr.

Resolution read, and on a motion of Senator McBride, adopted.

By Senator Hoffman:

**Senate Resolution No. 18**

Relative to the continuance of the Senate Interim Committee on Fairs and Expositions

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Interim Committee on Fairs and Expositions created by Senate Resolution 162 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to any money heretofore made available to the committee the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read and referred to the Committee on Rules.

By Senator Desmond:

#### Senate Resolution No. 19

Relating to the passing of Mrs. Thelma Rhoads Murphy

WHEREAS, The Legislature has with deep regret learned of the passing of Mrs. Thelma Rhoads Murphy at the young age of 52; and

WHEREAS, Mrs. Murphy has rendered helpful and valuable services to this State while employed in the Enrolling and Engrossing Room and also in the State Treasurer's office; and

WHEREAS, The services of such a courteous and efficient public servant will be missed by all; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Legislature take this manner of expressing their sorrow at her passing, and wish to extend their sincere condolences to her husband and children; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit suitably engrossed copies of this resolution to Mr. Fred Murphy, husband of Mrs. Thelma Rhoads Murphy, and to her children, Patrick Murphy, Thomas Murphy, and Marilyn Murphy.

Resolution read, and on a motion of Senator Desmond, adopted.

#### COMMUNICATIONS

Senator Powers moved that the following communications, submitted by the Legislative Counsel, and previously filed with the Secretary of the Senate on January 5, 1953, be printed in the Journal.

Motion carried.

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, January 5, 1953

#### Legislation Containing Clauses Limiting Effective Period

Subject	Clause	Author
<b>1949 Regular Session</b>		
S.B. 477, Chapter 1295, agricultural pest control regulations—91st day after 1953 Session		Hatfield
<b>1951 Regular Session</b>		
A.B. 50, Chapter 1186, sporting fishing licenses (see A.B. 1967, below)—91st day after 1953 Session		Grant, Thomas, Cooke, and Erwin
A.B. 60, Chapter 202, county employment of persons having attained compulsory retirement age—91st day after 1953 Session		Brown
A.B. 101, Chapter 1374, rain-making by Riverside County flood control and water conservation district—October 1, 1953		Babbage
A.B. 234, Chapter 98, mandatory commitments to Youth Authority—January 1, 1954		Fleury
A.B. 298, Chapter 524, mosquito abatement districts: exemption from district investigation act of 1933—91st day after 1953 Session		Brown
A.B. 554, Chapter 959, state employment of persons beyond retirement age—91st day after 1953 Session		Lindsay
A.B. 751, Chapter 273, closure of fishing waters—91st day after 1953 Session		Lindsay
A.B. 849, Chapter 839, female employees: hours and working conditions—91st day after 1953 Session		Levering, Babbage, Grant, Burke, Caldecott, Cloyd, Connolly, Grunsky, Hahn, Hansen, Kelly, and Luckel
A.B. 944, Chapter 157, hunting areas: closing—91st day after 1953 Session		Butters
A.B. 1004, Chapter 911, school district contracts—91st day after 1953 Session		Grant, Klockslem, Porter, Rosenthal, Dills, Rumford, and Thomas

<i>Subject</i>	<i>Clause</i>	<i>Author</i>
<b>1951 Regular Session—Continued</b>		
A.B. 1069, Chapter 842, war voters	91st day after 1953 Session	Conrad and Beck
A.B. 1142, Chapter 1616, milk and milk product standards	91st day after 1953 Session	Connolly and Rumford
A.B. 1534, Chapter 1639, physicians in state institutions—October 1, 1953		Gulser and Kirkwood
A.B. 1586, Chapter 517, school district merit systems: provisional appointments—6 months after national emergency		Porter
A.B. 1790, Chapter 486, nonresident physically handicapped children	91st day after 1953 Session	Stewart
A.B. 1903, Chapter 1644, temporary and emergency housing for veterans	December 31, 1953, December 31, 1954	Maloney
A.B. 1967, Chapter 1609, sporting fishing licenses (see A.B. 50 above)	91st day after 1953 Session	Hawkins
A.B. 1985, Chapter 1259, School Apportionment Law of 1947—July 1, 1953		Dunn, Geddes, and Porter
A.B. 2015, Chapter 124, practice of nursing: temporary permits—October 2, 1953, January 1, 1954		Connolly, Caldecott, Lincoln, Grant, Chapel, Dills, Evans, Hinckley, and Rosenthal
A.B. 2372, Chapter 1595, State College Council—June 30, 1953		Kirkwood and Coats
A.B. 2825, Chapter 1572, agricultural pest control damages	91st day after 1953 Session	Lowrey
A.B. 2870, Chapter 1389, age of school bus drivers	91st day after 1953 Session	Rosenthal and Munnell
A.B. 3410, Chapter 1263, child care centers: support	June 30, 1953	Geddes
S.B. 49, Chapter 1393, Fish and Game Commission regulatory powers	91st day after 1953 Session	Brown and Hatfield
S.B. 66, Chapter 1523, Department of Public Works cooperative work for Federal Government—91st day after 1953 Session		McBride
S.B. 95, Chapter 1265, emergency vehicles—91st day after 1953 Session		Tenney
S.B. 100, Chapter 1042, trawl nets	91st day after 1953 Session	Jespersen
S.B. 148, Chapter 146, fishing by members of armed forces—91st day after 1953 Session		Abshire, Weybret, Watson, Coombs, Busch, Hoffman, Thompson, McBride, Dillingey, Tenney, Regan, Harold T. Johnson, Gibson, James E. Cunningham, Dilworth, Williams, Sutton, Breed, Byrne, Collier, Parkman, Ed. C. Johnson, Hulse, and McCarthy
S.R. 489, Chapter 292, Construction and Employment Act allocations	December 31, 1953	Mayo and Brown
S.B. 494, Chapter 293, postwar public works plans: reversion of appropriation—June 30, 1953		Mayo and Brown
S.B. 527, Chapter 1722, practice of law: qualifications of veterans and servicemen—September 30, 1953		O'Gara
S.B. 560, Chapter 878, explosives: purchase and possession	91st day after 1953 Session	Ward
S.B. 610, Chapter 737, Interim San Francisco Bay Ports Commission	91st day after 1953 Session	Mayo, Breed, Powers, Hulse, Brown, O'Gara, and Hatfield
S.B. 919, Chapter 1554, completion of property tax assessment survey by State Board of Equalization—July, 1953		Hulse
S.B. 1200, Chapter 351, Civil Defense Act of 1950	91st day after 1953 Session	Hatfield
S.B. 1211, Chapter 1886, work under state contract act	91st day after 1953 Session	Hatfield
S.B. 1212, Chapter 820, private bulk storage of grain—December 31, 1953		Hatfield
S.B. 1257, Chapter 253, Livestock Sanitary Committee	91st day after 1953 Session	Hatfield and Sutton
S.B. 1736, Chapter 828, municipal utility districts: emergency appointments of employees—91st day after 1953 Session		Breed and Desmond
<b>1952 (First Extraordinary Session)</b>		
A.B. 47, Chapter 12, State School Fund apportionments—July 1, 1953		Kirkwood, Dunn, Beck, Moss, Burke, Chapel, Coats, Conrad, Dolwig, Doyle, Elliott, Evans, Fleury, Geddes, Grant, Hansen, Hawkins, Henderson, Kelly, Klocksism, Lanterman, Lincoln, Lindsay, Lyon, McFall, Morris, Munnell, Parker, Rumford, Shaw, and Stanley
<b>1952 (Second Extraordinary Session)</b>		
S.R. 1, Chapter 18, aid to the aged—October 1, 1954		Weybret
NOTE:		
A.B. 2085, Chapter 902 (1951), special crime commission powers	No effect after June 30, 1952	Fleury and Moss

RALPH N. KLEPS, Legislative Counsel  
By VIRGINIA STEPHENS, Deputy



## REPORT OF THE LEGISLATIVE COUNSEL ON NEEDED REVISION OF THE STATUTES

*To the Senate and Assembly of the State of California:*

The Legislative Counsel is required by Government Code, Section 10242, to "advise the Legislature from time to time as to needed revision of the statutes," and to present a "statement calling attention to laws which have been repealed by implication or which have been declared unconstitutional by the courts but which have not been expressly repealed." I am submitting herewith the current report which contains suggestions for corrective and clarifying amendments. These matters have been accumulated in our files during the biennium from suggestions which have come from members of the staff, from public officials and from members of the public.

*No bills are being submitted to you at this time.* Many of the suggestions for clarification included in this report can be provided for during the course of the present session by those interested in the particular statutes involved. If Members of the Legislature desire to have bills prepared for them in order to make any of the suggested corrections, this office will gladly do so.

### 1. SUMMARY OF PRIOR REPORTS

This office has filed previous reports on the needed revision of our statutes, and the prior reports are published in the journals of the Legislature. The 1947 Report will be found in the Assembly Journal for February 4, 1947, at page 1326; the 1949 Report will be found in the Assembly Journal for January 27, 1949, at page 752, and in the Senate Journal for January 27, at page 360; and the 1951 Report will be found in the Assembly Journal for January 15, 1951, at page 484, and in the Senate Journal for January 16, 1951, at page 231. Most of the prior suggestions have been acted on, but the following items have not: (1) 1947 Report—suggested repeal as obsolete of Revenue and Taxation Code Sections 3521, 3964 and 3965 (the latter two as added in 1943); (2) 1951 Report—Items 51-5 and 5-28.

### 2. 1953 SUGGESTIONS

#### Agricultural Code

Secs.

154.3, (Item 53-1)—These sections should be amended to conform  
785, to the terminology of the inferior court reorganization and  
843.1, to reflect the increased jurisdiction of those courts.  
919,  
1013,  
1044.5,  
1106.2,  
1106.3

## Secs.

- 380.64, (Item 53-2)—The reference in these sections to the "regular" session of the Legislature should be corrected to refer to the "general" session, so as to accord with Art. IV, Sec. 2(a) of the Constitution.
- 512,
- 661 (d),
- 679,
- 737.10,
- 1092,
- 1300.2
- 400, 415 (Item 53-3)—The references in these sections to Sec. 369 are erroneous and should be corrected to refer to Sec. 370.6. Sec. 369 was repealed by Chapter 1099 of Stats. 1947 and renumbered as Sec. 370.6.
- 762.95 (Item 53-4)—The word "article" in the first paragraph of this section should be corrected to read "chapter."

**Business and Professions Code**

- 6945 (Item 53-5)—The word "permit" in the first line of this section should be corrected to read "print."
- 7329, (Item 53-6)—These sections define and use the term "manager-operator." It is now synonymous with the terms hairdresser, cosmetician, and cosmetologist, due to the amendment of Sec. 7373 by Stats. 1951, Ch. 1367, which deleted the reference to the manager-operator license. The sections are now obsolete and should be corrected by deleting the term. (See (1952) 19 Ops. A. G. 206.)
- 7331,
- 7334,
- 7393
- 7686 (Item 53-7)—The word "providings" in the second sentence of this section should be corrected to read "proceedings."

**Civil Code**

- 43 (Item 53-8)—The reference in this section to the Political Code should be corrected to refer to the Government Code.
- 1180, (Item 53-9)—These sections, together with Code of Civil Procedure Section 179, relate to the power of a judge, court clerk and other officers to take acknowledgments and proofs of instruments. The sections listed have not been amended since the creation of the district courts of appeal, the creation of the municipal courts and the inferior court reorganization of 1949 and 1951. These sections should be amended to conform to Code of Civil Procedure Section 179, and also should clarify the power of judges of the new justice courts and deputy clerks of the district courts of appeal to take such acknowledgments.
- 1181,
- 1184
- 1183.5 (Item 53-10)—This section was originally passed as a temporary measure, but was made permanent by Stats. 1951, Ch. 386. The part of the section relating to temporary effect should be deleted.

## Secs.

- 2080.1, (Item 53-11)—These sections should be amended to conform to the terminology of the inferior court reorganization.  
 2080.2,  
 2080.3,  
 2080.4

3265g (Item 53-12)—This section, relating to orders stopping payment of a check and to payment of a check after such order to stop payment, should be amended to conform to Sections 990 and 992 of the Financial Code, enacted by Stats. 1951, Ch. 364.

3440.1 (Item 53-13)—An error was made in drafting Sec. 3440.1, added by Stats. 1951, Ch. 1687, which resulted in an apparent application of the ten day period not only to the recordation of notice of sale, but also to the publication of such notice. The section should be amended so as to make it clear that the ten day provision applies to subdivision (a) and the five day provision for publication applies to subdivision (b).

**Code of Civil Procedure**

1550, (Item 53-14)—These sections contain language making part of their provisions contingent upon enactment of the Financial Code and referring to certain provisions of the Banking Code and of the Building and Loan Association Act, which language should be deleted because the contingency has occurred, and the Financial Code has been enacted, including the specified provisions of the Banking Code and of the Building and Loan Association Act.  
 1555,  
 1560

**Education Code**

- 6193 (Item 53-15)—The references in this section to Secs. 4105, 4106, 4107, 4108, and 4110 of the Political Code are obsolete and the section should be amended to refer to Art. 2, Ch. 5, Div. 3, Title 3 of the Government Code.
- 8761 (Item 53-16)—There are two sections bearing this number, one added by Stats. 1947, Ch. 401, and one added by Stats. 1951, Ch. 228. The language is identical and one section should be repealed.
- 13442 (Item 53-17)—The reference in this section to the "unapportioned county elementary and high school funds" should be deleted and replaced with a reference to the "county school service fund." This change is in accord with the establishment of the County School Service Fund by Stats. 1947, Ch. 401, now Secs. 7201 and 7203 of the Education Code.
- 20358 (Item 53-18)—There are two sections bearing this number. The second was added by Stats. 1951, Ch. 1640, and should be renumbered.

**Elections Code**

Secs.

- 1702 (Item 53-19)—The second paragraph of this section, relating to the time within which a petition for disincorporation of a city can be circulated after incorporation of the city, was erroneously allocated to the Elections Code when the section was codified. The section should be amended so as to delete this paragraph, and a new Sec. 34701.5 should be added to the Government Code in the chapter relating to the disincorporation of cities.
- 2540.3, 2540.4, 2540.5, 2540.9 (Item 53-20)—These sections, relating to preventing the Communist Party from existing as a qualified political party, were held to be unconstitutional in whole or in part by the California Supreme Court in *Communist Party v. Peck* (1942), 20 Cal. 2d 536, 127 P. 2d 889. Sec. 2540.4 should be amended to delete the portion held invalid and the other sections should be repealed as invalid.
- 2843 (Item 53-21)—This section should be amended so as to make it consistent with the 1951 amendment to Sec. 2842 (Stats. 1951, Ch. 1408).
- 3921 (Item 53-22)—Numerous sections of this code should be amended to conform to the terminology of the inferior court reorganization.

**Financial Code**

- 3350-3396 (Item 53-23)—These sections comprise "Chapter 18. Prohibited Practices and Penalties" of "Division 1. Banks." This heading was inadvertently omitted when the sections were codified and should be inserted before Article 1., Miscellaneous Offenses.
- 3513 (Item 53-24)—The reference to Article 2 of Chapter 5 of this code in this section is erroneous. The reference should be to Article 2 of Chapter 4.

**Government Code**

- 4205 (Item 53-25)—The reference in this section to Code of Civil Procedure, Section 1184e is erroneous, due to repeal of 1184e by Stats. 1951, Ch. 1159. The reference should be to Sec. 1192.1 of the Code of Civil Procedure, added by Stats. 1951, Ch. 1159.
- 8200 (Item 53-26)—The part of this section limiting the number of notaries public in counties of the second class (San Francisco) to 222 was declared unconstitutional by the California Supreme Court in *Hollman v. Warren* (1948), 32 Cal. 2d 351, 196 P. 2d 562. The court also construed the word "may" as though it read "shall."



## Secs.

- 9126-9133 (Item 53-27)—These sections should comprise Art. 6, Pt. 1, Div. 2, Title 2 of the Code. However, they are enacted as Article 5, causing a duplication of Articles. The article heading should be changed to read "Article 6. Legislative Funds and Administration."
- 11007.5 (Item 53-28)—There were two sections bearing this number added to the Government Code in 1951, one by Stats. 1951, Ch. 291, and the other by Stats. 1951, Ch. 1612. The latter should be renumbered to be Sec. 11007.6.
- 11009 (Item 53-29)—There are two sections in the code bearing this number, the second having been added by Stats. 1945, Ch. 101. The latter should be renumbered to be Sec. 11012.
- 11011 (Item 53-30)—There were two sections bearing this number added to the Government Code in 1951, one added by Stats. 1951, Ch. 1573 and the other added by Stats. 1951, Ch. 1743. The latter should be renumbered Sec. 11011.5.
- 15530- (Item 53-31)—These sections comprise Part 8 of Title 2,
- 15563 Div. 3, added by Stats. 1947, Ch. 1408, relating to Planning and Research by the Governor. By the terms of Sec. 15563 this part became ineffective Oct. 1, 1949, and should now be deleted from the code as surplusage.
- 28105, 28109, (Item 53-32)—These sections, forming a part of Ch. 28110, 28113, 3, Pt. 5, Div. 2, Title 3 of the Government Code, relating to the salaries of county officers, contain references to the county supervisor acting as a road commissioner. 28117, 28119, Such references are now obsolete, since the Collier- 28121, 28123, Burns Highway Act of 1947 (Stats. (First Extraor- 28124, 28125, dinary Session) 1947, Ch. 11) created the separate 28126, 28128, office of county road commissioner, and impliedly re- 28129, 28131, pealed the practice of county supervisors acting as road 28132, 28133, commissioners. The sections should be amended so as 28137, 28139, to delete such references. (See (1952) 20 Ops. A. G. 1.) 28141, 28142, Also, some of these sections require amendment to con- 28143, 28145, form to the terminology of the inferior court reorgani- 28146, 28147, zation. 28148, 28150, 28151, 28152, 28153, 28156
- 31645 (Item 53-33)—The reference in this section to Sec. 31646 of this code is erroneous. The section should be amended to refer to Sec. 31648 of this code.
- 37500 (Item 53-34)—This section erroneously refers to the provisions of "Article 1, Chapter 5 of Division 4." There is no Chapter 5 in this division and the proper reference is to Chapter 4.
- 53826 (Item 53-35)—The phrase "within this county" erroneously appears twice in this section. The second phrase should be deleted.

## Secs.

- 54414 (Item 53-36) In the codification of this section the word "of," preceding the words "this chapter," should have been deleted; and the word "into" should have been inserted following the words "this chapter." This amendment is required to clarify the meaning of the section.
- 60000- (Item 53-37)—The enactment of Chaps. 331 and 1711 of  
60891 Stats. 1951 resulted in duplicate numbering of these sections. The sections enacted by Stats. 1951, Ch. 1711 should be re-numbered Secs. 61000-61891.
- 6106 (Item 53-38)—The references in this section to the Sanitation and Sewer Revenue Bond Act of 1941 are now incorrect due to codification of this act by Stats. 1949, Ch. 965. The references should now be to Secs. 54400-54662 of the Government Code.
- 6330 (Item 53-39)—The reference in this section to Chap. 32 of the Stats. of 1901 is obsolete and the section should be amended to refer to Art. 1, Ch. 4, Div. 4, Title 4 of the Government Code.

**Health and Safety Code**

- 209 (Item 53-40)—The reference in this section to "regular" session should be corrected to refer to the "general" session, so as to conform to Art. IV, Sec. 2 (a) of the Constitution.
- 212 (Item 53-41)—The reference to Sec. 2160.3 of the Welfare and Institutions Code in this section is meaningless since there is no such section in that code. Senate Bill 547 of the 1951 Session would have added such a section to the Welfare and Institutions Code, but in view of the fact that it failed to become law this section of the Health and Safety Code should be amended or repealed.
- 5565 (Item 53-42)—This section was added to the code by Stats. 1951, Ch. 1648. It is worded exactly the same as Sec. 5558 of this code, enacted by Stats. 1949, Ch. 1491, and should be repealed.
- 6915 (Item 53-43) The reference in this section to Sec. 3720 of the Political Code is obsolete and should be corrected to refer to Secs. 54900-54903 of the Government Code. The section should also be amended to conform to the usual code style of drafting.

## Secs.

- 11715.6 (Item 53-44)—This section denies probation or suspension of sentence by the trial court to any person convicted of violating Secs. 11712, 11713, 11714 or 11715. The Second District Court of Appeals, in *People v. Villegas* (1952), 110 C.A. 2d 354, 242 P. 2d 657, has held that Sec. 11715.6 must be construed to deny probation or suspension of sentence by the trial court to those persons convicted of Sec. 11500 (defining the crime of possession of narcotics) since any other construction "would nullify the legislative will and result in an absurdity." The legislative intent could be clarified by adding Sec. 11500 to those sections listed in Sec. 11715.6.
- 14074.5 (Item 53-45)—There were two sections bearing this number added to the Health and Safety Code in 1951, one by Stats. 1951, Ch. 446, and the other by Stats. 1951, Ch. 1587. The latter should be renumbered to be Sec. 14074.6.
- 14689 (Item 53-46)—This section should be amended to conform to the terminology of the inferior court reorganization.
- 32002 (Item 53-47)—The reference in this section to Stats. 1933, Ch. 879, should be corrected to refer to Ch. 1 of Title 6 of the Government Code which codified the provisions of Stats. 1933, Ch. 879.
- 32100.5 (Item 53-48)—The reference contained in this section to Sec. 32100.7 should be corrected to read Sec. 32100.4. There is no Sec. 32100.7.
- 35201 (Item 53-49)—The reference in this section to the Banking Code should be corrected to refer to the Financial Code, which superseded the Banking Code.
- 5050 (Item 53-50)—The Governor and Attorney General have suggested that this section, as amended by Stats. 1951, Ch. 271, does not express the legislative intent. The condition precedent to the formation of a county mutual fire insurance corporation should be more clearly expressed.
- 10660 (Item 53-51)—The reference in this section to Sec. 595 of the Civil Code is obsolete due to enactment of the Corporations Code. The reference should be to Sec. 9303 and the first paragraph of Sec. 9301 of the Corporations Code.

**Labor Code**

- 1204 (Item 53-52)—This section refers to Secs. 1179, 1182, 1184, and 1186 of the Labor Code. The sections referred to were renumbered and amended by Stats. 1949, Ch. 1454, and the reference in Sec. 1204 should be amended to refer to the present appropriate sections 1178, 1182, and 1184.
- 1944.1 (Item 53-53)—By its terms this section was effective only until the ninety-first day after final adjournment of the Fifty-seventh (1947) Regular Session of the Legislature. It is now obsolete and should be repealed.

## Secs.

- 5500.5 (Item 53-54)—The word "exceptance" in the last sentence of this section should be corrected to read "acceptance."
- 2503, 2505, 2508, 6801, 6802 (Item 53-55)—The reference in these sections to the Railroad Commission should be deleted and the sections amended to refer to its successor, the Public Utilities Commission.
- 8000 (Item 53-56)—The reference in this section to Sec. 364f of the Political Code is obsolete. Sec. 364f of the Political Code was repealed by Stats. 1951, Ch. 655 and was omitted, as obsolete, from the Government Code.

**Military and Veterans Code**

- 340 (Item 53-57)—The reference in this section to the Workmen's Compensation Insurance and Safety Act of 1917 is obsolete, since the provisions of this act are now part of the Labor Code. This section should be amended to refer to Div. 4 of the Labor Code.
- 502.1, 512, 513, 515, 550 (Item 53-58)—Several changes in nomenclature were made in Divisions 1 and 2 of this code during the 1951 Session, including changing the name of the California Defense and Security Corps to California National Guard Reserve (Stats. 1951, Ch. 394; see Stats. 1951, Ch. 408) and changes in nomenclature within the California Cadet Corps (Stats. 1951, Ch. 1342). Appropriate amendments should be made to correct these sections of the code which were not amended in 1951 to correspond to the change in nomenclature.

**Penal Code**

- 325 (Item 53-59)—The reference in this section to the "district courts" is obsolete, these courts having been abolished by the Constitution of 1879. The section should be amended to refer to the superior courts.
- 598a (Item 53-60)—This section, relating to the unlawful taking of homing pigeons, was enacted by Stats. 1905, Ch. 524. It is now superseded by a similar provision in Sec. 1176.6 of the Fish and Game Code, enacted by Stats. 1947, Ch. 91, and should be repealed.
- 678 (Item 53-61)—The reference in this section to "United States gold coin" is obsolete and should be amended to refer to "lawful money of the United States," so as to conform with 48 Stat. 340, 31 U.S.C.A. Sec. 315a (1951 Supp.).
- 681 (Item 53-62)—There are two sections in the code bearing this number, the second having been added by Stats. 1913, Ch. 583. The latter should be renumbered.
- 817 (Item 53-63)—This section should be amended to conform to the terminology of the inferior court reorganization.



## Secs.

999a (Item 53-64)—The references to an “application” for a writ of prohibition contained in this section are inaccurate and should be deleted.

1205, (Item 53-65)—The words “or justice” in these sections  
1207, should be deleted to conform to the terminology of the in-  
1213, ferior court reorganization.  
1326,  
1427,  
1428

**Probate Code**

585, 586, (Item 53-66)—The reference in these sections to the Bank  
586.5 Act is incorrect and the sections should be amended to refer to the Financial Code, Division One of which is the Bank Act.

**Public Resources Code**

5532, (Item 53-67)—The references in these sections to Sec. 1188  
5711 of the Political Code are obsolete and the sections should be amended to refer to Secs. 3040 and 3041 of the Government Code. The references to the Direct Primary Act must be retained as they are restricted to that act as it read in 1926.

5560 (Item 53-68)—This section should be amended to delete “justice of the peace” and “township” in the second sentence and to substitute “judge of a justice court” and “district,” in conformance with the inferior court reorganization.

5568 (Item 53-69)—This section refers to Stats. 1902, Ch. 32, which has been codified as a part of the Government Code. The reference should be to Art. 1, Ch. 4, Div. 4, Title 4 of the Government Code.

5750 (Item 53-70)—This section refers to Ch. 32 of the Stats. of 1901 which has been codified as a part of the Government Code. The reference should be to Art. 1, Ch. 4, Div. 4, Title 4 of the Government Code.

7904 (Item 53-71)—The reference to “township” in this section is now obsolete and should be amended to refer to “judicial district” to conform to the terminology of the inferior court reorganization.

8352 (Item 53-72)—This section was added to the Public Resources Code by Stats. 1943, Ch. 609 to supplement Sec. 8351, added by the same statute. Sec. 8351 was repealed by Stats. 1943, Ch. 1124, thus leaving Sec. 8352 without any effect. Sec. 8352 is therefore obsolete and should be repealed.

**Public Utilities Code**

735, 736, (Item 53-73)—These sections should be amended to correct  
3603, a reference to Sec. 533 to read “532” and to insert “or”  
4081 instead of “on” and “of.”

## Secs.

- 819 (Item 53-74)—This section contains a phrase excepting public utility corporations from the limitations of Sec. 7503 of this code. This exception is now unnecessary as the limitations were removed from Sec. 7503 by later amendment (Stats. 1951, Ch. 1036).
- 1501- (Item 53-75)—These sections comprise Ch. 8.5 of Div. 1,  
1508 Pt. 1, which is now obsolete and should be repealed.
- 14051- (Item 53-76)—Div. 6 of this code contains two chapters en-  
14211 titled Ch. 11, and none entitled Ch. 10. The chapter contain-  
ing Secs. 14051-14211 should be renumbered as Ch. 10.

**Revenue and Taxation Code**

- 31 (Item 53-77)—The reference in this section to "parts 8 and 9 of this code" should be corrected to read: "Parts 8 and 9 of Division 2 of this code."
- 327 (Item 53-78)—The reference in this section to Sec. 4218 of the Political Code is obsolete. The section should be amended to refer to Secs. 27556-27560 of the Government Code.
- 3391, (Item 53-79)—These sections, relating to publication of delinquent lists in counties of the first class [Los Angeles] and  
3403 comprising Art. 2, Ch. 1, Pt. 6, Div. 1 of this code, were held unconstitutional by the California Supreme Court in *Consolidated Printing and Publishing Co. v. Allen* (1941), 18 Cal. 2d 63, 112 P. 2d 884.
- 25295a (Item 53-80)—Two identically worded sections bearing this number were enacted in 1951, one by Stats. 1951, Ch. 345, and the other by Stats. 1951, Ch. 74. The latter should be repealed.

**Streets and Highways Code**

- 120, (Item 53-81)—The reference in these sections to the Railroad  
1121, Commission is obsolete and the sections should be amended to  
1122, refer to the Public Utilities Commission.  
1123,  
1124,  
1125,  
5196
- 824 (Item 53-82)—The reference in this section to "Sec. 695 of the Political Code, as added by Chapter 923 of the Statutes of 1933" should be deleted as obsolete and the section amended to refer to Sec. 11274 of the Government Code.
- 5060 (Item 53-83)—The reference in this section to Pt. 4, Title 5 of the Political Code is obsolete and the section should be amended to refer to Ch. 1, Div. 7, Title 1 of the Government Code.

**Water Code**

Secs.

- 310 (Item 53-84)—This section should be amended to conform to the terminology of the inferior court reorganization.
- 1464 (Item 53-85)—The reference in this section to the Railroad Commission is obsolete and the section should be amended to refer to the Public Utilities Commission.
- 1611 (Item 53-86)—This section erroneously refers to Secs. 1111, 1112, and 1113 of the Code of Civil Procedure. The correct references are to Secs. 1011, 1012, and 1013 of the Code of Civil Procedure.
- 8129 (Item 53-87)—The reference to Title 2 of Part IV of the Political Code in this section is obsolete and should be corrected to refer to Title 3 of the Government Code.
- 8710.5 (Item 53-88)—The reference in this section to Sec. 3455 is obsolete and the section should be amended to refer to Chapter 2, Part 2, Division 15 of the Water Code.
- 8990 (Item 53-89)—The word "expand" in the first sentence in this section should be corrected to read "expend."
- 31006 (Item 53-90)—There are two sections bearing this number. The second was added by Stats. 1949, Ch. 1114, and it should be incorporated into the present Sec. 31007, thus eliminating the duplication.

**Welfare and Institutions Code**

- 778 (Item 53-91)—The third "or" in the first sentence of the last paragraph of this section should be corrected to read "of."
- 3451 (Item 53-92)—There are two sections bearing this number, the second having been added by Stats. 1950 (1st Ex. Sess.), Ch. 45. The earlier section, added by Stats. 1949, Ch. 959, was impliedly repealed by the adoption of Article XXVII of the Constitution.
- 7409 (Item 53-93)—When this section was added by Stats. 1949, Ch. 998, an appropriate chapter heading was inadvertently omitted. A chapter heading should be added to read: "Chapter 8. Psychiatric Hospital Clinic in the City of Los Angeles."

**General Laws**

- Stats. 1880, Ch. 117 (Item 53-94)—This statute, entitled "an act relating to drainage," was declared unconstitutional by the California Supreme Court in *People v. Parks* (1881), 58 Cal. 624. It is now obsolete and should be repealed.
- Stats. 1905, Ch. 69 (Item 53-95)—This statute, popularly known as the Anti-Trading Stamp or Coupon Act, was declared unconstitutional by the California Supreme Court in *Ex Parte Drexel* (1905), 147 Cal. 763, 82 Pac. 429, and should be repealed.

Secs.

Stats. (Item 53-96) —The word "or" in this section should be  
1951, corrected to read "of," so as to correct a typographical  
Ch. 1635, error.  
Sec. 16

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 105:** By Senator Mayo—An act to amend Sections 75, 76 and 83 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), to amend Sections 292 and 303, and repeal Section 314 of the Unemployment Insurance Code, relating to administration of unemployment and disability compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 106:** By Senator Mayo—An act making an appropriation for acquisition of real property for the Department of Employment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 107:** By Senator O'Gara—An act to add Article 2 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to toll crossings of San Francisco Bay including the approaches thereto and providing for studies of an additional crossing and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 108:** By Senator O'Gara—An act to appropriate the sum of \$1,500,000 for the studies of an additional toll crossing across San Francisco Bay.

Referred to Committee on Transportation.

**Senate Bill No. 109:** By Senators O'Gara, Parkman, McCarthy, Abshire, Thompson, Gibson, Breed, Miller, Coombs—An act making an appropriation for the support of the San Francisco Bay Area Rapid Transit Commission.

Referred to Committee on Transportation.

**Senate Bill No. 110:** By Senator Coombs—An act to amend Section 433 of the Education Code, relating to salaries of the county superintendent of schools in counties of the thirty-third class.

Referred to Committee on Local Government.

**Senate Bill No. 111:** By Senator Way—An act to add Section 19439 to the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 112:** By Senator Mayo—An act to amend Section 27 of Chapter 47 of the Statutes of 1944, Fourth Extraordinary Session, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 113:** By Senator Mayo—An act to amend Section 26 of the Construction and Employment Act (Chapter 20 of the Statutes of 1946, First Extraordinary Session), relating to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 114:** By Senator Grunsky—An act to amend Section 1 of Chapter 1166 of the Statutes of 1951, relating to municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

**Senate Bill No. 115:** By Senator Grunsky—An act to amend Section 425 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 116:** By Senator Grunsky—An act to amend Section 28125 of the Government Code, relating to compensation for public employment of counties of the twenty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 117:** By Senator Grunsky—An act to amend Section 79.44 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 118:** By Senator Grunsky—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools of a county of the forty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 119:** By Senator Grunsky—An act to amend Section 28144 of the Government Code, relating to compensation for public service in counties of the forty-fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 120:** By Senator Grunsky—An act to amend Section 79.35 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 121:** By Senator O'Gara—An act to amend Section 16273 of the Education Code, relating to the definition of school bus.

Referred to Committee on Education.

**Senate Bill No. 122:** By Senator O'Gara—An act making an appropriation for the construction of fireboats and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 123:** By Senator O'Gara—An act to amend Section 58.8 of the Code of Civil Procedure and Section 68845 of the Government Code, relating to the office of the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

**Senate Bill No. 124:** By Senator Thompson—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 125:** By Senator Way—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 1½, and declaring the urgency thereof.

Referred to Committee on Fish and Game.

**Senate Bill No. 126:** By Senator Dilworth—An act to amend Section 13031.1 of the Education Code, relating to employment of persons requiring certification.

Referred to Committee on Education.

**Senate Bill No. 127:** By Senator Dilworth—An act providing for the compilation, publication, and distribution of a State Blue Book.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 128:** By Senator Dilworth—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

**Senate Bill No. 129:** By Senator Cunningham—An act to add Section 853 to the Agricultural Code, relating to labeling of containers of canned or otherwise preserved citrus fruit or fruit juice.

Referred to Committee on Agriculture.

**Senate Bill No. 130:** By Senator Dilworth—An act to amend Section 550 of the Vehicle Code, relating to the right of way of motor vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 131:** By Senator Parkman—An act to amend and renumber Section 1062.5 of the Government Code, relating to out-of-state travel by state officers and employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 132:** By Senators Brown, Hatfield, and Powers—An act to add Part 3 to Division 9 of the Public Utilities Code, relating to the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State;

defining air common carriers and providing for the supervision and regulation thereof by the Public Utilities Commission; and providing for the enforcement of the provisions and punishment of violations thereof.

Referred to Committee on Public Utilities.

**Senate Bill No. 133:** By Senators Brown and Hatfield—An act to amend Sections 16.3, 19.6 and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to the Committee on Fish and Game.

**Senate Bill No. 134:** By Senators Dilworth and Cunningham—An act to amend Section 31 of the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties.

Referred to the Committee on Local Government.

**Senate Bill No. 135:** By Senators Desmond, Abshire, and Dorsey—An act to amend Section 6508 of the Business and Professions Code, relating to barbers.

Referred to the Committee on Business and Professions.

**Senate Bill No. 136:** By Senators Desmond, Abshire, and Dorsey—An act to amend Sections 11421, 11422, and 11440 of the Government Code, relating to administrative regulations.

Referred to the Committee on Governmental Efficiency.

**Senate Bill No. 137:** By Senator Miller—An act to add Section 18406 to the Education Code, relating to acquisition of school sites in separate parcels.

Referred to Committee on Education.

**Senate Bill No. 138:** By Senator Miller—An act to amend Section 3129 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 139:** By Senator Miller—An act to amend Section 3053 of, and to add Section 3056 to, the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 140:** By Senator Miller—An act to add Section 3070.5 to the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 141:** By Senator Miller—An act to add Section 18405 to the Education Code, relating to options on school sites.

Referred to Committee on Education.

**Senate Bill No. 142:** By Senator Miller—An act to provide for the purchase of the "Alvarado Adobe" building in the City of San Pablo as a part of the State Park System, reverting a previous appropriation for this purpose to the State Park Fund and reapportioning funds for the purchase.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 143:** By Senators Desmond, Abshire, and Dorsey—An act to amend Section 79 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935) and Section 407 of the Unemployment Insurance Code, relating to hearings by the California Unemployment Insurance Appeals Board.

Referred to Committee on Social Welfare.

**Senate Bill No. 144:** By Senator Dilworth—An act to amend Section 14495.2 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Joint Resolution No. 1:** By Senators Regan and Harold T. Johnson—Relative to the Trinity River Project.

Referred to Committee on Rules.

#### RECESS

At 2.30 p.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

#### REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beck at the desk.

#### ADJOURNMENT

At 3.03 p.m., on motion of Senator McBride, the President declared the Senate adjourned until 10.30 a.m., Friday, January 9, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, January 9, 1953

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Mayo, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tex Rose of Los Angeles.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. G. A. Eggers of Riverside.

## COMMUNICATIONS

The following communications were received and read and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION  
SACRAMENTO 14, January 7, 1953

*Mr. J. A. Beek*

*Secretary of the Senate, State of California,  
State Capitol, Sacramento 14, California*

DEAR MR. BEEK: The State Board of Education at its meeting on January 2 adopted a resolution in support of educational television and urged that the Legislature of California take such action and adopt such legislation, including the appropriation of money, as may be necessary to make available the full benefits of educational television for all of the people of California.

Enclosed is a copy of the resolution.

Sincerely yours,

ROY E. SIMPSON

Communication read, and ordered printed in Journal, and resolution ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 22, 1952

*Hon. Goodwin J. Knight*

*President of the Senate*

*c/o Joseph Beek*

*Senate Chamber*

*Sacramento, California*

DEAR MR. PRESIDENT: At the request of Mrs. Anna M. Rosenberg, Assistant Secretary of Defense, I am sending to the Senate a copy of her letter of April 19th commending the Legislature on adopting Assembly Concurrent Resolution No. 9 relating to the Armed Forces Radio Services.

Sincerely,

EARL WARREN, Governor

(COPY)

ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON 25, D. C.

April 19, 1951

DEAR GOVERNOR WARREN: Major General John M. Devine, Director, Office of Armed Forces Information and Education, has informed me of the action of the Legislature of the State of California in adopting Concurrent Resolution No. 9 on the occasion of the eleventh anniversary of the Armed Forces Radio Service at Los Angeles.

Many citizens of the great State of California have given generously of their time and talent to Armed Forces Radio Service. Their efforts have helped make it possible for our men and women overseas to enjoy a radio fare comparable to that offered by the major networks here at home. The action by the Legislature of the State of California is an extension of this fine patriotic spirit which has been the life blood of AFRS.

The morale and welfare of our people serving overseas and their will to carry on under the greatest difficulties are of special concern to the Department of Defense. We recognize the important part that radio plays in the everyday life of Americans. We are grateful to those who assist and encourage us in our effort to keep radio a part of the daily life of our servicemen overseas.

Please extend my thanks to the members of the Legislature for their expression of interest in the welfare of our Armed Forces and their generous praise of the Los Angeles Office of Armed Forces Radio Service.

Sincerely yours,

ANNA M. ROSENBERG

HONORABLE EARL WARREN  
Governor of California  
Sacramento, California

## RESOLUTIONS

The following resolution was offered:

By Senator Powers:

## Senate Resolution No. 20

*Resolved*, That the following named persons elected to the positions hereinafter set forth as provided by law shall receive compensation beginning Monday, January 5,

1953, payable from the appropriation for pay of officers, clerks and employees of the Senate, at the respective rates fixed for them by the Senate Committee on Rules:

J. A. Beek, *Secretary of the Senate*

Joseph F. Nolan, *Sergeant-at-Arms of the Senate*

John F. Lea, *Minute Clerk of the Senate*

Irving I. Hausman, *Chaplain of the Senate*

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—27.

NOES—None.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Assembly Concurrent Resolution No. 1**—Relative to the death of Ernest C. Crowley.

Resolution read, and presented by Senator Gibson.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 14:** By Senator Kraft—Approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the fourth day of November, 1952.

#### Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

**Senate Concurrent Resolution No. 14**—Approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Bills Nos. 1, 2, and 3, at this time for consideration.

**CONSIDERATION OF SENATE BILLS NOS. 1, 2, AND 3**

**Senate Bill No. 1**—An act to amend Section 155.6 of the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Senate Bill No. 2**—An act to amend Section 1 of Chapter 15 of the Second Extraordinary Session of 1952, relating to the revision of budgets of cities, counties, and districts after the occurrence of an earthquake, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Senate Bill No. 3**—An act to amend Section 43005 of the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Dorsey:

*Resolved*, That Senate Bills 1, 2, and 3 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, considered engrossed, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, Powers, Regan, Tenney, Thompson, Ward, and Williams—29.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

**FURTHER CONSIDERATION OF SENATE BILLS NOS. 1, 2, AND 3**

**Senate Bill No. 1**—An act to amend Section 155.6 of the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, Regan, Sutton, Tenney, Thompson, Ward, and Williams—27.

**NOES**—None.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 2**—An act to amend Section 1 of Chapter 15 of the Second Extraordinary Session of 1952, relating to the revision of budgets of cities, counties, and districts after the occurrence of an earthquake, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Thompson, Ward, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 3**—An act to amend Section 43005 of the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, and Ward—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, and Ward—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 145:** By Senator Regan—An act to amend Section 14401 of the Health and Safety Code, relating to county fire protection districts.

Referred to Committee on Local Government.

**Senate Bill No. 146:** By Senator Regan—An act to amend Section 401 of the Vehicle Code, relating to the operation of authorized emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 147:** By Senator Regan—An act to amend Section 20607.5 of, and to add Section 60607.6 to, the Government Code, relating to retirement of firemen.

Referred to Committee on Local Government.

**Senate Bill No. 148:** By Senator Regan—An act to amend Section 14075 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Local Government.

**Senate Bill No. 149:** By Senator Regan—An act to add Section 5019.5 to the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state parks.

Referred to committee on Governmental Efficiency.

**Senate Bill No. 150:** By Senator Regan—An act to add Section 594 to the Vehicle Code, relating to equipment of motor vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 151:** By Senator Regan—An act to add Article 7 to Chapter 2 of Division 4 of the Public Resources Code, relating to educational projects with respect to forests.

Referred to Committee on Natural Resources.

**Senate Bill No. 152:** By Senator Regan—An act to amend Section 4939 of the Public Resources Code and Section 4 of Chapter 85 of the Statutes of 1945, relating to District Forest Practice Committees.

Referred to Committee on Natural Resources.

**Senate Bill No. 153:** By Senator Regan—An act to amend Section 4165 of the Public Resources Code, relating to disposal of inflammatory waste material.

Referred to Committee on Natural Resources.

**Senate Bill No. 154:** By Senator Regan—An act to repeal Section 384a of, and to add Section 384a to, the Penal Code, relating to unlawful acts with respect to plant growth or material.

Referred to Committee on Judiciary.

**Senate Bill No. 155:** By Senator Regan—An act to amend Sections 4155 and 4156 of, and to add Section 4158 to the Public Resources Code, relating to fire fighting equipment.

Referred to Committee on Natural Resources.

**Senate Bill No. 156:** By Senator Regan—An act to amend Section 4014 of the Public Resources Code, relating to cooperation with the Federal Government with respect to forest lands.

Referred to Committee on Natural Resources.

**Senate Bill No. 157:** By Senator Regan—An act to amend the heading of Chapter 3 of Division 4 of, to amend Sections 4451, 4453, 4454, 4455, and 4459 of, and to add Section 4454.5 to, the Public Resources Code, relating to forest insect and plant disease control.

Referred to Committee on Natural Resources.

**Senate Bill No. 158:** By Senator Regan—An act to amend Sections 4452, 4453, 4455, 4458, 4460, and 4702 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 159:** By Senator Regan—An act to add Section 451.1 to the Vehicle Code, relating to traffic regulations and signs.

Referred to Committee on Transportation.

**Senate Bill No. 160:** By Senator Regan—An act to add Section 4850.5 to the Labor Code, relating to service-connected injuries and illnesses of firemen.

Referred to Committee on Labor.

**Senate Bill No. 161:** By Senator O'Gara—An act to add Section 5614.1 to the Streets and Highways Code, relating to repairs and liability for defective sidewalks.

Referred to Committee on Judiciary.

**Senate Bill No. 162:** By Senator O'Gara—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees.

Referred to Committee on Judiciary.

**Senate Bill No. 163:** By Senator O'Gara—An act to amend Section 258 of the Code of Civil Procedure, relating to court commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 164:** By Senator O'Gara—An act to amend Section 79.38 of the Code of Civil Procedure, relating to salaries of superior court judges in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 165:** By Senator O'Gara—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

**Senate Bill No. 166:** By Senators Thompson and Hoffman—An act to add Section 752.5 to the Vehicle Code, relating to admissibility of evidence of violation.

Referred to Committee on Judiciary.

**Senate Bill No. 167:** By Senator Busch—An act to amend Section 6 of Chapter 771 of the Statutes of 1937 and to amend Section 75105 of the Government Code, relating to the investment of judges' retirement fund money.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 168:** By Senator O'Gara—An act to amend Section 13001.2 of the Education Code, authorizing the employment of persons requiring certification qualifications and the payment of compensation to such person.

Referred to Committee on Education.

**Senate Bill No. 169:** By Senators Busch, Way, and O'Gara—An act to repeal Chapter 2 of Part 2 of Division 2 of Title 2 of the Government Code, to add a new Chapter 2 thereto, and to amend Section 10242 thereof, relating to legislative aids, abolishing the California Code Commission, creating the California Law Revision Commission, and prescribing the duties of the Legislative Counsel in connection therewith.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 170:** By Senators Busch, Way, O'Gara, Desmond, and Tenney—An act to amend Section 787 of the Probate Code, relating to the sale of real property by an executor or administrator.

Referred to Committee on Judiciary.

**Senate Bill No. 171:** By Senators Busch, Way, O'Gara, Desmond, and Tenney—An act to amend Section 1532 of the Probate Code, relating to sales of real property by a guardian.

Referred to Committee on Judiciary.

**Senate Bill No. 172:** By Senators Busch, Way, O'Gara, Desmond, and Tenney—An act to amend Section 1198.1 of the Code of Civil Procedure, relating to enforcement of liens.

Referred to Committee on Judiciary.

**Senate Bill No. 173:** By Senator Murdy—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Referred to Committee on Agriculture.

**Senate Bill No. 174:** By Senator Erhart—An act making an appropriation for permanent improvements at the California State Polytechnic College.

Referred to Committee on Education.

**Senate Bill No. 175:** By Senator Erhart—An act making an appropriation for the construction of dormitories at the California State Polytechnic College.

Referred to Committee on Education.

**Senate Bill No. 176:** By Senator Erhart—An act making an appropriation for the support of the California State Polytechnic College.

Referred to Committee on Education.

**Senate Bill No. 177:** By Senator Erhart—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.



**Senate Bill No. 178:** By Senator Erhart—An act to repeal Article 3 of Chapter 2 of Division 10, and to add Article 3 to Chapter 2 of Division 10, comprising Section 20371 to 20378, inclusive, and 20380 of the Education Code, relating to faculties of state colleges.

Referred to Committee on Education.

**Senate Bill No. 179:** By Senator Erhart—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for regulating the appropriation and expenditure of money in said fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 180:** By Senator Erhart—An act to amend Section 20358 of the Education Code, relating to student housing facilities of state colleges.

Referred to Committee on Education.

**Senate Bill No. 181:** By Senator Erhart—An act to amend Section 19627.3 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 182:** By Senator Hoffman—An act to amend Section 28113 of the Government Code, relating to compensation for public service in counties of the thirteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 183:** By Senator Desmond—An act to add Chapter 10 (consisting of Sections 21701 to 21704, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 184:** By Senator Desmond—An act to increase the statutory salaries and statutory compensation of state officers and employees.

Referred to Committee on Finance.

**Senate Bill No. 185:** By Senator Desmond—An act to amend Section 13926 of the Government Code, relating to awards for state employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 186:** By Senator Desmond—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 187:** By Senator Desmond—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 70, 71, 73, 74, 76, and 77 of, and to add Section 78 to, the Agricultural Code, relating to agricultural affairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 188:** By Senator Desmond—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 73 and 76 of, the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 189:** By Senator Desmond—An act to transfer jurisdiction over certain state property to the State Agricultural Society and providing for the disposition of revenues therefrom.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 190:** By Senators Dorsey, Brown, Cunningham, Hulse, Dilworth, Tenney, and Kraft—An act to amend Sections 1403 and 1411 of the Fish and Game Code, relating to burros.

Referred to Committee on Fish and Game.

**Senate Bill No. 191:** By Senator Brown—An act to amend Section 17050 of the Government Code, relating to revolving funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 192:** By Senators Way, Cunningham, Erhart, Montgomery, Harold T. Johnson, Dilworth, Tenney, and Abshire—An act to amend Section 534 of the Fish and Game Code, relating to obstruction, diversion, or prevention of the natural flow of streams.

Referred to Committee on Fish and Game.

**Senate Bill No. 193:** By Senator Breed—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Referred to Committee on Natural Resources.

**Senate Bill No. 194:** By Senator Coombs—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Referred to Committee on Institutions.

**Senate Bill No. 195:** By Senator Breed—An act to amend Section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Referred to Committee on Judiciary.

**Senate Bill No. 196:** By Senator Breed—An act to amend Sections 9751, 9756, and 9758 of, and to add Sections 9608.6, 9660.1 to 9660.7, both inclusive, and 9757.5 to, the Business and Professions Code, and to add Section 8250.5 to the Health and Safety Code, relating to cemeteries.

Referred to Committee on Business and Professions.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 6, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

PAUL A. MARIANI, a resident of Cupertino; orchardist; fruit shipper; Member of the Agricultural Prorate Advisory Commission since May 18, 1945;

to the Agricultural Prorate Advisory Commission (representing the prune and apricot growers), vice self, for the term prescribed by law, ending January 1, 1957.

IRA REDFERN, a resident of Selma; vineyardist; Member of the Agricultural Prorate Advisory Commission since May 18, 1945;

to the Agricultural Prorate Advisory Commission (representing the grape growers), vice self, for the term prescribed by law, ending January 1, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to the Committee on Rules.

**President pro Tempore of the Senate Presiding**

At 11:45 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**LETTER OF TRANSMITTAL**

LEGISLATIVE BUDGET COMMITTEE

January 8, 1953

*Hon. Goodwin J. Knight  
President of the Senate  
Sacramento, California*

DEAR MR. PRESIDENT: There is hereby submitted a partial report of the Legislative Budget Committee containing among other matters considered a report of a subcommittee dealing with the subject of Analysis of Field Office Operations, Department of Motor Vehicles.

It is recommended that the report of the said subcommittee be printed in the Journal and that the balance of the report be printed in the appendix to the Journal, and that 1,000 copies of that part to be printed in the appendix, be printed separately and be made available for distribution.

Respectfully submitted,

BEN HULSE, Chairman  
Legislative Budget Committee

*Senator Ben Hulse, Chairman  
Joint Legislative Budget Committee  
State Capitol, Sacramento, California*

DEAR MR. CHAIRMAN: At the meeting of the Joint Legislative Budget Committee on November 30, 1951, you appointed a subcommittee for the purpose of following up on the report made by the Legislative Auditor entitled, "Analysis of Field Office Operations, Department of Motor Vehicles," dated November 27, 1951. The subcommittee was to consist of Senator Breed, Assemblyman Hollibaugh, and Assemblyman Lipscomb.

Starting on page 4 of the Legislative Auditor's report, "Analysis of Field Operations, Department of Motor Vehicles," are recommendations numbered 1 to 5, inclusive.

(1) We concur with recommendation No. 1 in said analysis that "No new offices should be established unless the Director of the Department of Motor Vehicles has studied the situation and is able to demonstrate" an actual necessity and that "any additional office or offices are fully justified from a workload and geographical standpoint."

Unfortunately, as recited in said analysis, there has not been a clearly defined policy regarding the establishment of branch offices of the Department of Motor Vehicles. Upon occasion such offices have been established by reason of community and other pressures without regard to all of the factors which should be considered in determining the establishment of district offices.

We believe it would be desirable to set up certain standards or criteria which should be met before additional offices are established.

(2) We disagree with recommendation No. 2, which supports a staggered method of registration. Further comment on this is included later on in this report, as we felt that this needed much further explanation than could be contained in this portion.

(3) We concur that consideration might well be given, at least in the larger offices, to a change in office hours to conform with any community system of staggered office hours for business and government offices.

It is true, as recited in the analysis, that most registration functions can be performed by mail. This is not true in regard to driver's license examinations, which require appearance of the applicant in person. Thus, there is greater need for motor vehicle driver license service after usual business hours than there is for registration service.

(4) We concur that accounting functions in the field offices should be simplified, kept to a minimum, and that most accounting functions should be concentrated in the larger offices where mechanized equipment is available.

(5) We are not entirely certain as to the precise application of the recommendation that "mail service should be vigorously encouraged." If this means the mailing of

applications to the main office in Sacramento and the concentration therein of more and more functions, we think the same most inadvisable.

We think that the mailing of applications to the nearest district office of the Department of Motor Vehicles might be encouraged. Those applying for original registration of new cars, generally desire immediate issuance of license plates and issuance of certificates as promptly as possible. Thus, applicants for new car registration desire to make application, either in person or through some recognized agency, for immediate registration permitting operation of the vehicle.

We believe that the department should decentralize proceedings for original registration of motor vehicles. This operation should not be concentrated in Sacramento, but should be dispersed as widely as possible among existing district offices.

Further, when motorists receive potential registration certificates for renewal purposes, it is desirable that such motorists be enabled to obtain validation of such potential upon payment of proper fees either in person at or by mail to the nearest district office of the department. Again, this function should be decentralized among existing offices.

We believe the function of registering a new vehicle can be and should be performed through district offices, upon presentation of documents with fees, rather than by being transferred to Sacramento. We believe that operations of the department cannot be efficiently performed if too large a proportion of the total are concentrated at the headquarters office in Sacramento.

(6) We express doubt as to the advisability of the recommendation that personal checks be accepted by the department and documents processed and mailed without waiting for the checks to clear the banks.

We suggest that this plan of accepting checks be tried out on a pilot basis in one or more areas in order that experience be determined before personal checks are accepted generally. The acceptance of personal checks during a renewal period might result in serious loss or delay in collections thereon if adopted on a wholesale basis.

#### Other Comments

We commend the Department of Motor Vehicles in respect to the issuance of potential registration certificates as a method of speeding annual renewal of registration. Prior to the use of potential motorists, motor car dealers, and law enforcement officers complained that the making and mailing of new certificates after each renewal involved such delay that it interfered with motor car sales and the making of loans on motor vehicles; in fact, under the old method quite frequently a motorist could not trade in his old car or borrow money during a period of many months after renewal pending the issuance of new registration certificates.

The issuance of potential registration certificates permits the motorist to make personal appearance at any branch office, pay his fees, secure validation of the potential, which is then immediately available for placing in the vehicle, which is desirable from the point of view of enforcement officers and serves other advantageous purposes.

We desire to make further comment regarding establishment of district offices of the department as follows.

Administrative costs of the department have increased tremendously during the years. The establishment of additional branch offices would further increase certain costs and all said costs are met out of the motor vehicle revenues, thereby decreasing the amount available for maintenance and improvement of highways. Critical deficiencies on the state highway system are estimated in excess of three billion dollars. Thus, economy in administrative procedures will result in more money being available for highways.

#### Additional Recommendations

We recommend a separate renewal period for commercial vehicles, including buses, trucks, trailers and semitrailers. Renewal registration time for the latter might be designated as July 1. The changeover could be accomplished by simply collecting during January renewal fees for six months in respect to commercial vehicles, the same to be then reregistered on the succeeding July 1 for the ensuing fiscal year.

It would be necessary to amend the Vehicle Code in order to provide for a separate renewal period for commercial vehicles.

#### PROPOSAL TO STAGGER CALIFORNIA REGISTRATION OF MOTOR VEHICLES OVER A 12- OR 10-MONTH PERIOD EACH YEAR INSTEAD OF DURING PERIOD JANUARY 1-FEBRUARY 4 EACH YEAR, AS AT PRESENT

We are convinced that staggered registration over a period of 10 or 12 months instead of registration during the period January 1 to February 4 each year would not in anywise decrease the costs of registration incurred by the Department of Motor Vehicles. It is rather obvious that renewal of registration for more than five million motor vehicles involves a total number of man-hours of renewal work which might be expressed as XX total man-hours. At present a large part of these man-hours are performed by temporary employees in the Department of Motor Vehicles. However,



many of said employees are so employed during successive years and are capable of a satisfactory degree of efficiency.

One difficulty encountered under present renewal procedure is that an undue percentage of motor vehicle owners neglect to apply for renewal during the early portion of January, but wait until the end of the period of renewal or until the last day to present or transmit application for renewal. This results in throwing a tremendous work load on the department during a brief period and perhaps necessitates employment of a larger number of temporary employees to meet in part this excessive work load than would be required if applications were made evenly throughout each day of the renewal period.

On occasion the above factors are cited as reasons why there would be less of an excessive work load thrown upon the department within short periods if the procedure should be adopted of staggering registration over a 10 or 12 months period. However, we believe that it is a complete answer to the above contention to point out that staggering registration over a 10- or 12-months period would not change human nature or the habits of a large percentage of motorists who wait until nearly the last day before applying for renewal of registration.

In the event of staggered renewal over a 10-months period we may reasonably assume that the total of man-hours of work by the Registration Division could not be diminished, but rather that there would probably be an increase in the required man-hours of work. Assuming that registration renewals are permitted within a 30-day period for a total of 10 monthly periods, the department would, as at present, encounter a slack period and a rush period during which motorists would present applications. Thus, there would be at least 10 high periods of demand for service rather than the one high period of demand as at present.

Presumably in the event of staggered registration the department would not need to employ temporary help, but would be forced to employ permanent personnel who would be entitled to all employee benefits, such as vacation periods, sick leave, retirement benefits and other incidents of permanent, as contrasted with temporary, employment.

We are forced to the conclusion that staggered registration would not result in decreasing, but rather would result in increasing the costs of operation of the Department of Motor Vehicles.

#### **Enforcement of Staggered Registration Would Be Impossible**

It is obvious that the staggering of registration over a 10 months period would not only involve increase in administrative costs in determining the apportionment of the registration of more than 5,000,000 vehicles over a 10 months period, but increase in inconvenience and uncertainty on the part of the motoring public by such system of staggered renewal would render almost impossible enforcement of registration requirements.

At present, renewal of registration is evidenced as follows. During certain years new license plates, prominently displaying the year number, are issued. During other years tabs are issued indicating renewal for the current year. Potential registration cards are validated and displayed in motor vehicles. The above procedures mean that every vehicle for which registration has been obtained bears evidence of such renewal.

It should be remembered that the Department of Motor Vehicles itself does not have any substantial body of enforcement officers to apprehend those who are delinquent in renewing registration. Rather, this function is performed by members of the California Highway Patrol and by local traffic enforcement officers. The Highway Patrol and local officers have found it extremely difficult and burdensome to assure strict compliance with renewal requirements. Sometimes strict enforcement has been delayed during a period of months due to inability of the department to process renewal of registration within short periods.

Unfortunately, many motorists by design or through negligence fail to apply for renewal during the times required. Of course, some of these are later apprehended, or they may be subject to penalties when next renewal period arrives, while others may escape by leaving the State, or in the event their vehicles are junked or abandoned.

All of these difficulties would be multiplied tenfold and more in the event of staggered renewal over a 10 months period. It would be necessary to furnish some evidence of the period during which each vehicle is registered or re-registered to be displayed on the vehicle. This would involve designating months, as well as years. Such methods would render it far more difficult for enforcement agencies to determine whether each and every vehicle is currently registered at any particular time strictly in compliance with a staggered registration renewal program. Of course, failure of strict enforcement of renewal on a staggered plan would result in substantial loss of or delay in collecting registration and weight fees and vehicle license fees.

We are apprehensive that any plan for staggered renewal over a 10 months period would result in such increase in costs of administration, such inconvenience to more than five million motorists, such difficulties in enforcement and such loss or delay in collection of revenues as to be utterly objectionable.

We do not know of any advantages incident to staggered renewal that are not overwhelmed by inevitable disadvantages.

(1) It does not seem logical to suppose that the department could handle this type of renewal successfully each month when under present conditions they cannot keep even with transfers, chattel mortgages, duplicates, and other types of work that come in regularly during the year.

(2) The cost of effecting a changeover would be tremendous. This would involve a great deal of detail in apportioning registration periods for more than five million motor vehicles. It would be necessary to devise some method of notifying motorists of their appropriate renewal periods. In preparing potential registration cards indicating renewal periods on a staggered basis numerous errors may be anticipated and greater costs would be involved than occur in respect to issuance of potentials upon a calendar year basis.

(3) It would be exceedingly difficult for most enforcement officers to efficiently check expiration dates of the tags. Very likely this cannot be done in respect to moving vehicles, but only when vehicles were parked or otherwise standing still.

(4) From what has been determined from the two states already using staggered registration system, and from what has been learned from the American Association of Motor Vehicle Administrators' meetings in the past two years, it appears that Wisconsin and Missouri are still not satisfied with the operations of the twelve months' renewal periods which they have in effect. They maintain that there are various subterfuges whereby owners avoid payment of fees which are difficult to detect. Extra expenses are incurred in accounting, issuance of plates, and attempts to enforce the staggered registration program.

(5) The motoring public would not be better served. Motorists are accustomed to renewal of registration during the period January 1 to February 4 each year. Motorists would be greatly confused by a program of staggered renewal during a ten months' period. Many motorists would be absent from the state during the time renewal might be required in respect to their particular vehicles. It is notorious that California motorists travel extensively and for long periods of time in other jurisdictions. Present procedure permits application through numerous offices of the Department of Motor Vehicles, numerous offices of motor clubs, or by mail direct to the department.

It is our opinion that motorists would not be benefited by staggered registration. Rather, motorists would be subjected to great inconvenience, uncertainty and confusion by staggered registration.

#### Additional Suggestion

It is suggested that renewal of commercial vehicles be made compulsory at a time, possibly during July, separate from the renewal period for private passenger vehicles. This would decrease the excessive workload on the department during present renewal period.

Requirement that commercial vehicles be registered as of a given month, for example during July, would not result in the difficulties above-mentioned in regard to staggered renewal of registration of all vehicles.

Thus, we definitely recommend a separate renewal period for all commercial vehicles.

#### ORGANIZATION AND OPERATION OF THE CALIFORNIA HIGHWAY PATROL

The California Legislature originally created the California Highway Patrol to serve as indicated by the name in the capacity of traffic officers engaged in patrolling the highways, to regulate traffic thereon, and to enforce the traffic laws, including those declaring rules of the road and providing for registration of vehicles and the licensing of drivers. Unfortunately, during the years it appears that certain changes have occurred in regard to the status and functions of the Highway Patrol.

(1) The Legislature has gradually added to the duties to be performed by the Highway Patrol, some of which are very far afield from those indicated in the original purpose as set forth above. Thus, we suggest that the staff officers of the Highway Patrol be called upon to enumerate all of the various duties which they regard as obligatory upon or as now performed by said Highway Patrol. There may be some functions which the patrol has developed by its own initiative.

Further, Legislative Counsel should be called upon to list all statutory duties now imposed on the patrol.

We recommend that the proper legislative committee then review all of said statutory and other functions now performed by the patrol. It is our belief that the Highway Patrol should be relieved of certain of said functions. For example, if the Highway Patrol is at this time concerned with enforcement of the caravan tax law, we suggest appropriate amendment to relieve the Highway Patrol of such duty.

We recommend investigation and review of the activities of the patrol in regard to service of warrants and in transporting prisoners. We believe the legislative committee should consult with the Judicial Council which now has a committee investigating procedure in regard to service of warrants for traffic offenses.

We submit this recommendation without intending criticism of the Highway Patrol. Rather, we have in mind that the Highway Patrol should be relieved of extensive duties in regard to service of warrants and that such functions might better be performed by a separate organization, the members of which need not have the status of Highway Patrol officers.

(2) During the years it has developed that a substantial number of staff officers and personnel of the Highway Patrol perform strictly office duties and are not engaged in patrol of the highways. We recommend that the appropriate legislative committee conduct studies to determine the extent to which the Highway Patrol is being transferred into an office functioning organization.

Study should be made of the allocation of personnel during various periods of the history of the Patrol to determine the number and percentage of personnel engaged in office activities as distinguished from active patrol of the highways. We believe that it will be found that an increasing percentage of the staff officers and personnel of the Highway Patrol have been gradually assigned to office work exclusively. Remedial measures should be adopted to result in a greater percentage of Highway Patrol staff members and personnel being assigned to function on highways rather than in offices.

Repeatedly, executive officers have made reference to the total mileage of all highways in California. It would be impossible for the State to provide sufficient officers to patrol each and every mile of rural highway in the State. We doubt whether there should be amendment of the Vehicle Code attempting to specify such highways. Rather, Highway Patrol officers should have authority to enforce the traffic laws upon any highway, but a legislative resolution or administrative rule should indicate that it is the major function of the Highway Patrol to enforce the traffic laws on those highways bearing a substantial volume of traffic.

We trust that the appropriate legislative committee will not be led astray into bypaths or extraneous matters, but will concentrate its attention on two major problems:

(1) Is it advisable to enact legislation relieving the Highway Patrol of some of its statutory or self-imposed duties in order that greater attention may be devoted to patrol of the highways?

(2) Studies should be conducted to determine whether an undue percentage of the staff and other personnel of the Patrol are engaged in office duties to the neglect of the primary duty to patrol the highways of California, particularly those which carry a substantial volume of traffic.

Attached herewith is one set of statistical tables dealing with budget and personnel for the Department of Motor Vehicles and California Highway Patrol, together with an explanation and comments on the statistical tables entitled, "Budgets and Personnel for Department of Motor Vehicles and California Highway Patrol." These will be of interest to the Committee as they give a perspective picture of these operations over a period of 20 years.

Respectfully submitted,

ARTHUR H. BREED, JR., Chairman  
Subcommittee on Motor Vehicle Field Offices  
JONATHAN J. HOLLIHAUGH  
GLENARD P. LIPSCOMB

## BUDGETS AND PERSONNEL FOR DEPARTMENT OF MOTOR VEHICLES AND CALIFORNIA HIGHWAY PATROL

### *Statistical Tables*

Attached are several tables designed to show comparative figures which are significant in studying the operations of the Department of Motor Vehicles and the California Highway Patrol. A few comments concerning each of said tables may serve to interpret and clarify the data contained therein.

#### Table I

This table is designed to show the amount of increase in the budgets, personnel, appropriations and vehicle registration over the last 10-year and 20-year periods. Columns 2, 3, and 5 give the actual figures for the years in question and columns 4, 6, and 7 show the percentage changes which have occurred.

The table indicates that the total vehicle registration in California has increased approximately 68 percent in the past 10 years and approximately 150 percent in the last 20 years. In the decade from 1932-33 to 1942-43 vehicle registration increased approximately 49 percent.

As compared to the 68 percent increase in vehicle registration, the total amount budgeted for the DMV activities has increased 238 percent in the past 10 years and Highway Patrol budgets have increased 327 percent in the same period of time. The budgets for the two functions combined have increased 279 percent in the past 10 years and over 700 percent in the past 20 years.

The increases shown in the *appropriations* are slightly below those shown in the budgets, but even in this category (appropriations) a marked increase is indicated



by the tables. The past 10 years have brought about a 253 percent increase in direct appropriations for the two activities. The amount appropriated in 1952-53 for the DMV alone is 84 percent greater than the amount appropriated for both Motor Vehicles and Highway Patrol 10 years ago.

The total personnel budgeted for the two activities has increased 98 percent in the past 10 years and 357 percent in the past 20 years. From the fiscal year ending in 1943 to that ending in 1953 the Department of Motor Vehicles' staff has increased 82 percent and Highway Patrol, 122 percent.

In analyzing the entire 20-year period it can be seen that the increase in budget was greater, percentage wise, in the later decade than in the earlier, whereas expansion in staff was greater in the earlier decade than in the later. This may be explained in part by the fact that the figures for budgets are in dollar amounts, which are influenced not only by the expansion in the department but also by the factor of increased costs. This element of inflation has been greater in the last 10 years than in the first 10 years.

In measuring the relative effectiveness of the staffs of these departments, perhaps the most significant figures are those given with regard to personnel, because of the factor of changed purchasing power of the dollar, which is of some effect with regard to budgets but of no effect with regard to personnel. Here we find that in the 10-year period between the fiscal years of 1943 and 1953 the staff required to perform these two functions increased 98 percent as compared with a 68 percent increase in vehicle registration. In the 20-year period from 1933 to 1953, staffing has jumped 357 percent as compared to 150 percent increase in vehicle registration.

One other statistic contained in the table—the number of employees per 10,000 vehicles registered—indicates that personnel expansion has been out of proportion to the increase in registration. Ten years ago, for every 10,000 vehicles on the road there were 7.3 employees in the two departments. Now, for the same number of cars, there are 8.7 employees.

**Table II**

This table is designed to show more detailed comparisons in personnel for the 10-year and 20-year periods, which have been summarized in Table I.

As regards the Department of Motor Vehicles activities, the last 10 years have shown a decrease of 11 percent in the staff assigned to drivers' licenses, an increase of 31 percent in the staff assigned to registration, and an increase of 121 percent in the staff assigned to administration. This latter figure may be somewhat misleading, however, as it will be noted from the table that the accounting function, formerly budgeted separately, has been eliminated as a separate designation in 1952-53. This accounting function is now performed and budgeted in the administration division and therefore represents a portion of the 121 percent increase indicated. Also, it should be noted that in 1952-53 new designations of "field office operations" and "financial responsibility" have been instituted, accounting for over 1,000 employees. No percentage increase in these activities is shown in the table, however, because of no comparable designation in prior years to serve as a base for percentage calculations.

As regards Highway Patrol activities, it will be seen that staffing has increased 122% in the past ten years, compared with 95% in the preceding ten years and it has increased 332% in the past twenty years. Because of the failure of the 1942-43 budget to segregate staff according to the function performed, this table does not pin point the location within the department of the increases which have occurred in the past ten years.

Over the twenty-year period, however, it will be seen that Administration has increased 460% and State Traffic Officers, 350%. Examining the twenty-year percentage increases in all the Highway Patrol activities, it would appear that there has been a greater increase in the administration of the department than in the enforcement division of the department.

For more convenient reference, the figures on vehicle registration have again been set out at the bottom of Table II. These figures serve as a base in gauging the growth of the departments. For the ten-year period—registration up 68%, DMV staff up 82%, Highway Patrol staff up 122%. For the twenty-year period—registration up 150%, DMV staff up 380%, Highway Patrol staff up 332%.

**Table III**

This table relates only to the California Highway Patrol and is intended to indicate the distribution of Uniform Personnel, including those classifications set forth in the column headings. The side headings appearing in Column (1) indicate the functions to which the men are assigned and the remainder of the columns indicate the number of men so assigned. The extreme right-hand column (Column (11)) indicates the percentage of the total Uniform Personnel which is assigned to each of the functions listed. The bottom line of the table indicates the percent of total Uniform Personnel in each of the job classifications.

It will be seen that 82% of the total Uniform Personnel are assigned to the field. Also, it is safe to assume that a substantial portion of the 200 proposed new positions



of State Traffic Officer would be assigned to the field. Thus, perhaps 90 to 95% may safely be said to be assigned to the field. These figures were taken from the State budget document and, of course, do not indicate the number of man hours spent by these officers in actually patrolling the highway as distinguished from office time.

The table also shows that of the total uniform personnel 86% are on the lowest level, that is, State Traffic Officer; 8% are Sergeants; 1% Lieutenants; and 5% are Captains or above.

Reference is here made to the report of Subcommittee No. 4 of the Senate Finance Committee, which report was submitted to the Finance Committee, dated March 24, 1952. This report indicates:

"It appears that too many uniformed men are assigned to offices. For example, 29 uniformed men, excluding the zone supervising inspector, are assigned to the Los Angeles Office."

This is borne out by Table III, which indicates that in the Los Angeles office there are 20 Officers, 5 Sergeants, 2 Captains and 2 Inspectors, in addition to the Supervising Traffic Inspector.

#### Tables IV (A) and IV (B)

These two tables are designed to show the distribution of total personnel in the California Highway Patrol, including both the uniform personnel and the civilian personnel. The two tables are identical with the exception that Table IV (A) sets forth figures as they were proposed by the Governor, calling for an increase in traffic officers of 200 positions; and Table IV (B) contains figures as they were allowed by action of the Legislature, calling for 100 new traffic officer positions. This results in a slight difference in the percentage figures.

Referring to Table IV (B), it will be seen that approximately 23 percent of the total staff of the California Highway Patrol are civilian employees; over 20 percent are clerical and stenographic positions. Approximately 78 percent are uniform personnel, of whom an unknown quantity are engaged in what might be termed "overhead" activities, rather than actual patrol of the highways.

#### Table V

This table is a copy of a table which appeared in the legislative subcommittee report referred to above, to which have been added the figures for the Fiscal Year 1945-46. In reference to this table the subcommittee report states that a considerable increase in personnel and funds has been approved by the Legislature during recent years. The figures shown do not include considerable amounts for capital outlay expenditures.

TABLE I  
DEPARTMENT OF MOTOR VEHICLES AND HIGHWAY PATROL  
10-Year and 20 Year Comparisons  
of Selected Data

(1)	(2)	(3)	(4) % Change 10 Years 1932-33 to 1942-43	(5)	(6) % Change 10 Years 1932-33 to 1942-43	(7) % Change 20 Years 1932-33 to 1952-53
<b>BUDGETS</b>						
Budgeted for D. M. V. Activities	\$1,643,920	\$3,875,402	135.7%	\$13,080,232	237.5%	695.7%
Budgeted for Highway Patrol Activities	1,671,080	3,331,244	99.5%	14,245,886	327.3%	752.5%
Total—Both Activities	\$3,315,000	\$7,206,646	117.5%	\$27,326,118	279.0%	724.3%
<b>PERSONNEL</b>						
D. M. V. Activities	531	1400	163.7%	2549.7	82.1%	380.2%
Highway Patrol Activities	487	917	91.5%	2102.8	122.1%	331.8%
Total—Both Activities	1018	2317	130.6%	4652.5	98.2%	357.0%
Employees per 10,000 vehicles registered	4.7	7.3		8.7		
<b>APPROPRIATIONS *</b>						
D. M. V. Activities	{ \$3,292,500	{ 786,942,678	110.9%	\$12,761,918	83.8%	287.6%
Highway Patrol Activities				11,726,256		
Total—Both Activities	\$3,292,500	86,942,678	110.9%	\$24,488,204	252.7%	643.8%
<b>VEHICLE REGISTRATION **</b>						
Total nonexempt vehicles	2,107,275	3,163,394	50.1%	5,303,524	67.7%	151.7%
Exempt vehicles	38,199	35,305	8.6%	63,960	81.3%	67.5%
Grand Total—Vehicles Registered	2,145,474	3,198,699	49.1%	5,367,514	67.8%	150.2%

\* Appropriations were taken from statutes. In 1932-33 and 1942-43 the statutes made no segregation between the D. M. V. and C. H. P. Also, appropriations were made for a biennium and therefore the figures shown represent one-half of the appropriation for the bienniums 1931-33 and 1941-43.

\*\* Vehicle registration for calendar years 1931, 1941, and 1951.

SOURCE: Budgets and personnel from state budget document; appropriations from statutes; vehicle registration from D. M. V.

TABLE II  
DEPARTMENT OF MOTOR VEHICLES AND HIGHWAY PATROL

10-Year and 20-Year Comparisons

Personnel Assignments

(1)	(2)	(3)	(4) % Change 10 Years 1942-43 to 1952-53	(5) 1952-53	(6) % Change 10 Years 1942-43 to 1952-53	(7) % Change 20 Years 1932-33 to 1952-53
<b>PERSONNEL</b>						
<b>DMV ACTIVITIES</b>						
Administration	95	67	-29.4%	148	120.9%	55.8%
Accounting	39	150	284.4%	-	-	-
Registration	397	166	93.0%	1,006	31.3%	153.4%
Drivers' Licenses	-	417	-	373.2	-10.5%	-
Field Office Operations	-	-	-	911.1	-	-
Financial Responsibility	-	-	-	111.4	-	-
Total, DMV Activities	531	1,400	163.6%	2,549.7	82.1%	380.2%
<b>HIGHWAY PATROL ACTIVITIES</b>						
Administration	20	-*	-	119.9	-	459.5%
Enforcement	313	577	84.4%	1,407	143.9%	349.5%
State Traffic Officers	-	64	-	123	92.2%	-
State Traffic Sergeant	-	-	-	19	-	-
State Traffic Lieutenant	-	58	11.5%	33	-8.6%	1.9%
State Traffic Captain	52	-	-	297.6	-	313.3%
All Other Classifications	72	-	-	91.3	-	204.3%
Technical Services	30	-	-	-	-	-
All Other Functions	-	248	-	-	-	-
Total, Highway Patrol Activities	487	947	94.5%	2,102.8	122.1%	331.8%
<b>VEHICLE REGISTRATION</b>						
Total Nonexempt Vehicles	2,107,275	3,163,394	50.1%	5,303,524	67.7%	151.7%
Exempt Vehicles	38,149	35,305	-8.6%	63,990	81.3%	67.5%
Grand Total, Vehicles Registered	2,145,424	3,198,699	49.1%	5,367,514	67.8%	150.2%

\* 1942-43 Budget makes no functional segregation of staff.

Source: Personnel from State Budget Document; Vehicle Registration from DMV.

TABLE III  
CALIFORNIA HIGHWAY PATROL  
DISTRIBUTION OF UNIFORM PERSONNEL  
1952-53

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Assignment	Officer	Sergeant	Lieut.	Captain	Inspect.	Super. Insp.	Chief	Comdr.	Total	% of Total Unif. Pers.
Administration:										
Executive	-	1	-	-	1	-	-	1	2	.1%
Equipment	-	-	-	-	-	-	-	-	1	.1%
Special Activities	-	1	-	1	-	-	-	-	2	.1%
Enforcement:										
Administration:										
Los Angeles Office	20	5	-	2	2	1	1	-	2	.1%
Field	1,187	98	7	51	12	1	-	-	30	1.8%
Proposed New Positions	200	20	12	-	-	-	-	-	1,335	82.1%
									292	14.1%
Technical Services:										
Administration	-	-	-	-	-	1	-	-	1	.1%
Planning Section	1	4	-	1	-	-	-	-	6	.3%
Traffic Safety Education	2	-	-	-	1	-	-	-	3	.2%
Training Academy and Uniform Regulations	2	3	-	1	1	-	-	-	7	.4%
Orders and Bulletins	-	1	-	1	-	-	-	-	2	.1%
Special Services	3	4	-	1	-	-	-	-	8	.5%
Total	1,415	137	19	58	17	3	1	1	1,451	100%
Percent of Total Uniform Personnel	85.7%	8.3%	1.1%	3.5%	1.0%	0.2%	0.1%	0.1%	100%	



TABLE IV (A)  
CALIFORNIA HIGHWAY PATROL  
DISTRIBUTION OF PERSONNEL

## 1952-53 Budget as Proposed

	Number of Positions	% of total Personnel
Officers assigned to Field plus 200 new positions proposed -----	1,387	66.0%
All other Uniform Personnel -----	264	12.5%
Sub-total—Uniform Personnel -----	1,651	78.5%
Clerical—Stenographic -----	405	19.3%
All other -----	46.8	2.2%
Sub-total—Civilian Personnel -----	451.8	21.5%
Grand Total—All Personnel -----	2,102.8	100 %

Source of all Tables: State Budget Document.

TABLE IV (B)  
CALIFORNIA HIGHWAY PATROL  
DISTRIBUTION OF PERSONNEL

## 1952-53 Budget as Allowed

	Number of Positions	% of Total Personnel
Officers assigned to Field plus 100 new positions allowed -----	1,287	64.3%
All other Uniform Personnel -----	264	13.2%
Subtotal—Uniform Personnel -----	1,551	77.5%
Clerical—Stenographic -----	405	20.2%
All other -----	46.8	2.3%
Subtotal—Civilian Personnel -----	451.8	22.5%
Grand Total—All Personnel -----	2,002.8	100 %

TABLE V  
CALIFORNIA HIGHWAY PATROL  
Expenditures and Personnel  
1945-46 to 1952-53

Fiscal year	Support	Salaries & Wages	No. of positions
1945-46 -----	\$ 4,093,472	\$3,399,627	1,051
1946-47 -----	5,256,032	4,203,373	1,201
1947-48 -----	6,115,441	4,838,651	1,297
1948-49 -----	8,381,315	5,917,782	1,633
1949-50 -----	9,641,007	6,339,391	1,711
1950-51 -----	10,397,278	6,678,026	1,759.5
1951-52 Estimated -----	12,000,906	7,579,316	1,857.8
1952-53 Proposed -----	14,038,681	8,307,618	2,102.8

ANALYSIS OF FIELD OFFICE OPERATIONS  
DEPARTMENT OF MOTOR VEHICLES

Prepared by the Legislative Auditor  
November 27, 1951

The question of additional field offices in the Department of Motor Vehicles has arisen with each Budget, and requests for increased service to localities are invariably made to the Legislature during the time that the Budget is being considered. The universal demand for greater service has been intensified by the rapid growth in the number of motor vehicle registrations in California and a system of registration which creates cyclical overloading of the offices available to serve the public. For these reasons we have felt that additional study of the field offices of the Department of Motor Vehicles is urgently needed, and at the 1951 Session of the Legislature we recommended against adding new offices until a complete study by the Department of Finance was made of the need for offices. The Senate Finance Committee, in considering the Budget Bill item for the Department of Motor Vehicles, requested that a report on field offices should be made by the Legislative Auditor. To fulfill this request and to

assist the staff of the Budget Committee in its analysis of the Budget, we have compiled information on all of the field offices which shows general features of the program and problems in specific field offices.

In 1941 there were 70 locations in California where state transactions pertaining to motor vehicles were performed. These 70 locations handled the registration, transfers, et cetera, of approximately 3,198,639 motor vehicles. At this time the California Highway Patrol was a division of the Department of Motor Vehicles and 61 of the aforementioned locations were California Highway Patrol offices.

A total of 5,860,515 motor vehicle registrations was handled in 1950, an increase of 2,661,816 since 1941. To handle this increased work load, 13 new locations have been added, resulting in a total of 83 offices where the motorist may transact his business. These are presently all Department of Motor Vehicle offices due to the separation of the California Highway Patrol from the Department of Motor Vehicles in 1947. Eleven new offices were added for the 1951-52 Fiscal Year, making a total of 94 authorized. Apart from the offices under the direction of the Department of Motor Vehicles, there are 95 automobile clubs throughout California where members may pay their fees and secure tabs and license plates.

Analyses of the location of field offices indicate the absence of any apparent clearly defined policy regarding the establishment of such offices. It appears that, in many instances, offices were established merely upon the basis of request from the public without analyzing the necessity, the work load involved or the type of service actually needed. Since 1948 a complete survey has been made of the field office operations. A careful study is made of all requests for new offices to determine if the work load and the physical location justifies an expanded service and the type of service required.

As a result, better data now exist for the measurement of need based upon number of motor vehicles in a particular area and distance from other offices, but there is still no completely uniform or precise standard by which these factors are applied in the establishment of new branch offices.

During the 1951-52 Fiscal Year, a chief of the Division of Field Office Operations was appointed. He is directly responsible to the Director of Motor Vehicles for the functioning of the field offices. Efficiency of operations was improved considerably by the establishment of this division and also by the creation of the classification of motor vehicle representative employee. Prior to these changes employees working on drivers' license functions would perform only that type of duty and reported to the chief of the Division of Drivers' License, and the same was true of employees handling registration duties. Maximum utilization of manpower was not obtained when one group having a slow period did not assist the groups that were overloaded. This situation was remedied by the creation of the motor vehicle representatives whose duties cover all functions performed in the field offices. Field offices process all types of motor vehicle transactions.

Table I, attached, shows the total motor vehicle registrations by county for the year 1950. Table II shows the location of field offices of the various counties, the number of items processed in each office, the average number of items processed daily, the number of employees per office and the average number of items processed daily per employee. It will be noted that the average number of items processed daily per employee varies from a low of six at Needles to a high of 30.1 in Los Angeles. The office at Needles will be closed when the new office at Blythe is opened and service given to the Needles area out of Blythe on a travel basis. The high average work load in many of the Los Angeles County offices is due possibly to a greater specialization available in a larger staffed office. However, the over-all average is around 25 items per day per employee. It will be noted that most offices are operating close to the average of 25 items. The department feels this is a good average and its budget requests for additional personnel are based on this average. However, it must be remembered that in arriving at this average only permanent employees are used. Had the man hours of temporary help during registration period been included the average number of items per employee processed daily would be somewhat lower.

The cost per registered car for the services rendered by the department for the year 1950 was approximately \$1.94. The cost per item processed in three field offices selected at random was as follows:

<i>City</i>	<i>County</i>	<i>Approximate cost per item</i>
San Diego	San Diego	\$0.347
Taft	Kern	0.43
Alturas	Modoc	0.45

Consideration should be given to the fact that complete processing, such as preparation of the "potential" in the Sacramento office, is not accomplished in these field offices. The "potential" is a statement of amount of tax due sent by mail by the department to every registered motor vehicle owner.

#### *Recommendations*

1. No new offices should be established unless the Director of the Department of Motor Vehicles has studied the situation and is able to demonstrate that an actual necessity for such additional service exists, and that it is fully justified from a workload and geographical standpoint.

2. Serious consideration should be given to a staggered method of registration. When this is accomplished, motorists should be encouraged to transact their business in the office nearest to their residence. We believe savings and better service to the public will result when these measures are adopted.

3. Consideration should be given, at least in the larger offices, to a change in office hours during registration. If they opened at noon and remained open until 9 o'clock in the evening, the working public would have an opportunity to transact their business after their workday ended. This would not only convenience the public but would result in greater use of existing facilities and permit the reduction of help in temporary substations during the renewal period.

4. Accounting functions in the field offices should be simplified and kept to the absolute minimum. The main object of the field offices should be the collection of fees and delivery of documents to the motorists in the most expeditious manner. The accounting and distribution functions should be accomplished at a later date in the larger offices where mechanized equipment is available.

5. To curtail the establishment of new field offices and to reduce the total number of existing field offices, mail service should be vigorously encouraged. Seventy-five percent of the registration function is done by means of the potential, which lends itself to mail service. By now the public should be well acquainted with the use of this form. We believe that personal checks should be accepted and the processing of the documents and the mailing of the tabs or plates be completed without the delay caused by waiting for the checks to clear the banks. This causes delay to the public, breaks the normal work flow and creates additional work for the employees. Recovery on bad checks should be a separate function, using the methods employed by private business. To our knowledge all motor vehicle transactions can be accomplished by mail, except the drivers license examinations. Only in isolated localities should this function be a justification for the establishment of a field office and even in many of these cases the Highway Patrol could perform this service. Renewal of drivers licenses is required only once every four years, and it appears reasonable to assume that the motorists would journey to some motor vehicle office during that period. The type of decentralization being practiced by increasing the number of field offices is costly and does not reduce the costs of the centralized operation. It is strictly an increased service to the motorists and is using funds which if applied to the repair and construction of highways would, we believe, be of much greater benefit to the motorists. Mail service can be accomplished with less inconvenience to the taxpayer than over-the-counter service if the department will gear itself to that type of service and employ the modern methods now being used by public utilities and other private businesses with similar problems.

Table I  
MOTOR VEHICLE REGISTRATIONS BY COUNTIES  
FOR THE YEAR 1950

<i>County</i>	<i>Registrations</i>	<i>County</i>	<i>Registrations</i>
Alameda -----	308,560	Orange -----	113,989
Alpine -----	194	Placer -----	20,952
Amador -----	36,436	Plumas -----	7,480
Butte -----	36,436	Riverside -----	84,901
Calaveras -----	5,232	Sacramento -----	128,259
Colusa -----	7,293	San Benito -----	7,804
Contra Costa -----	117,842	San Bernardino -----	130,161
Del Norte -----	4,975	San Diego -----	237,896
El Dorado -----	9,587	San Francisco -----	279,706
Fresno -----	139,234	San Joaquin -----	97,950
Glenn -----	9,815	San Luis Obispo -----	27,594
Humboldt -----	35,794	San Mateo -----	103,943
Imperial -----	30,618	Santa Barbara -----	51,171
Inyo -----	7,083	Santa Clara -----	142,422
Kern -----	113,764	Santa Cruz -----	36,049
Kings -----	24,897	Shasta -----	20,716
Lake -----	7,460	Sierra -----	1,281
Lassen -----	9,422	Siskiyou -----	17,625
Los Angeles -----	2,007,552	Solano -----	44,072
Madera -----	17,667	Sonoma -----	56,494
Marin -----	35,850	Stanislaus -----	66,930
Mariposa -----	2,634	Sutter -----	14,369
Mendocino -----	19,599	Tehama -----	10,831
Merced -----	34,902	Trinity -----	2,289
Modoc -----	5,722	Tulare -----	75,659
Mono -----	907	Tuolumne -----	7,340
Monterey -----	59,621	Ventura -----	53,280
Napa -----	21,037	Yolo -----	22,920
Nevada -----	11,689	Yuba -----	13,534

TABLE II

<i>Location of Office</i>	<i>Total Registration and Drivers License Items Processed During 1950</i>	<i>Average No. of Items Proc- essed Daily</i>	<i>No. of Employees Per Office</i>	<i>Average Items Processed Daily Per Employee</i>
<b>LOS ANGELES COUNTY</b>				
Los Angeles -----	1,081,741	2,221	74	30.1
Long Beach -----	387,043	788	31	25.4
Hollywood -----	268,510	624	24	26.0
Pasadena -----	278,007	572	21	27.4
Culver City -----	229,311	542	19	28.5
East Los Angeles ----	248,529	521	21	24.8
Glendale -----	244,156	512	21	24.4
Compton -----	125,290	337	12	28.1
San Fernando Valley	205,454	443	17	26.1
San Fernando City---	1,961	52	2	26.0
Pomona -----	85,028	168	8	21.0
Total -----	3,155,030			
<b>SAN FRANCISCO COUNTY</b>				
San Francisco -----	528,229	1,001	40	25.0
<b>ALAMEDA COUNTY</b>				
Oakland -----	309,855	600	24	25.0
Hayward -----	72,500	172	7	25.0
Alameda -----	51,749	121	7	17.3
Berkeley -----	110,317	245	9	27.2
Total -----	544,421			
<b>SAN DIEGO COUNTY</b>				
San Diego -----	387,813	832	30	27.7
<b>CONTRA COSTA COUNTY</b>				
Richmond -----	75,331	172	7	25.0
Martinez -----	33,193	100	4	25.0
Total -----	108,524			
<b>SANTA CLARA COUNTY</b>				
San Jose -----	157,091	319	12	26.7
<b>SAN BERNARDINO COUNTY</b>				
Barstow -----	10,680	26	2	13.0
San Bernardino -----	147,977	291	12	24.3
Needles -----	2,594	6	1	6.0
Total -----	161,251			
<b>SACRAMENTO COUNTY</b>				
Sacramento -----	195,814	474	24	19.7
<b>FRESNO COUNTY</b>				
Fresno -----	293,838	548	24	22.8
<b>SAN MATEO COUNTY</b>				
Palo Alto -----	62,685	139	6	23.2
Redwood City -----	106,725	215	8	26.9
Total -----	169,410			
<b>KERN COUNTY</b>				
Taft -----	12,884	35	2	17.1
Bakersfield -----	113,272	266	10	26.6
Total -----	126,156			
<b>ORANGE COUNTY</b>				
Orange -----	108,346	236	9	26.2



TABLE II—Continued

<i>Location of Office</i>	<i>Total Registration and Drivers License Items Processed During 1950</i>	<i>Average No. of Items Proc- essed Daily</i>	<i>No. of Employees Per Office</i>	<i>Average Items Processed Daily Per Employee</i>
<b>SAN JOAQUIN COUNTY</b>				
Stockton -----	133,941	294	11	26.7
<b>RIVERSIDE COUNTY</b>				
Riverside -----	78,701	176	7	25.2
Indio -----	14,534	64	4	16.0
Total -----	93,235			
<b>TULARE COUNTY</b>				
Visalia -----	44,208	95	4	23.7
Porterville -----	22,384	43	2	21.5
Total -----	66,592			
<b>MONTEREY COUNTY</b>				
Monterey -----	26,299	59	3	19.6
Salinas -----	40,819	86	5	17.2
Total -----	67,118			
<b>STANISLAUS COUNTY</b>				
Modesto -----	82,176	182	7	26.0
<b>VENTURA COUNTY</b>				
Ventura -----	58,998	118	5	23.6
<b>SONOMA COUNTY</b>				
Santa Rosa -----	83,529	170	7	24.3
<b>SOLANO COUNTY</b>				
Vallejo -----	53,502	120	6	20.0
<b>SANTA BARBARA COUNTY</b>				
Santa Barbara -----	43,394	90	4	22.5
Santa Maria -----	22,433	47	2	23.5
Total -----	65,827			
<b>MARIN COUNTY</b>				
San Rafael -----	34,504	86	4	21.5
<b>MERCED COUNTY</b>				
Merced -----	41,474	85	4	21.2
<b>HUMBOLDT COUNTY</b>				
Eureka -----	40,839	84	5	17.0
<b>SANTA CRUZ COUNTY</b>				
Santa Cruz -----	25,399	55	3	18.3
Watsonville -----	21,623	44	2	22.0
Total -----	47,022			
<b>BUTTE COUNTY</b>				
Chico -----	29,512	58	4	14.5
Oroville -----	21,403	40	2	20.0
Total -----	50,915			
<b>IMPERIAL COUNTY</b>				
El Centro -----	44,955	95	5	19.0

TABLE II—Continued

<i>Location of Office</i>	<i>Total Registration and Drivers License Items Processed During 1950</i>	<i>Average No. of Items Proc- essed Daily</i>	<i>No. of Employees Per Office</i>	<i>Average Items Processed Daily Per Employee</i>
<b>SAN LUIS OBISPO COUNTY</b>				
Paso Robles -----	8,712	18	1	18.0
San Luis Obispo -----	22,640	41	3	13.7
Total -----	31,352			
<b>NAPA COUNTY</b>				
Napa -----	29,633	63	4	15.8
<b>KINGS COUNTY</b>				
Hanford -----	37,050	76	4	19.0
<b>PLACER COUNTY</b>				
Roseville -----	25,007	47	3	15.7
<b>MENDOCINO COUNTY</b>				
Ukiah -----	19,682	43	2	21.5
<b>YOLO COUNTY</b>				
Woodland -----	22,433	43	2	21.5
<b>MADERA COUNTY</b>				
Madera -----	20,135	40	2	20.0
<b>SHASTA COUNTY</b>				
Redding -----	24,748	55	3	18.3
<b>SISKIYOU COUNTY</b>				
Yreka -----	15,815	33	2	16.5
Tule Lake -----	3,911	7	1	7.0
Total -----	19,726			
<b>SUTTER COUNTY</b>				
None -----	--	--	--	--
<b>YUBA COUNTY</b>				
Marysville -----	41,203	91	5	18.2
<b>NEVADA COUNTY</b>				
Grass Valley -----	20,888	48	2	24.0
Truckee -----	2,509	7	C.H.P.	--
Total -----	23,397			
<b>TEHAMA COUNTY</b>				
Red Bluff -----	15,634	31	2	15.5
<b>LASSEN COUNTY</b>				
Susanville -----	12,569	30	2	15.0
<b>EL DORADO COUNTY</b>				
Placerville -----	10,803	22	2	11.0
<b>GLENN COUNTY</b>				
Willows -----	8,038	13	1	13.0
<b>SAN BENITO COUNTY</b>				
Hollister -----	14,194	31	2	15.0
<b>PLUMAS COUNTY</b>				
Quincy -----	9,755	21	1	21.0
<b>TUOLUMNE COUNTY</b>				
Sonora -----	11,599	22	1	22.0

TABLE II—Continued

<i>Location of Office</i>	<i>Total Registration and Drivers License Items Processed During 1950</i>	<i>Average No. of Items Proc- essed Daily</i>	<i>No. of Employees Per Office</i>	<i>Average Items Processed Daily Per Employee</i>
<b>COLUSA COUNTY</b>				
Colusa -----	8,902	16	1	16.0
<b>INYO COUNTY</b>				
Bishop -----	7,313	25	2	12.5
<b>LAKE COUNTY</b>				
Lakeport -----	9,540	17	1	17.0
<b>CALAVERAS COUNTY</b>				
San Andreas -----	6,926	12	C.H.P.	--
<b>MODOC COUNTY</b>				
Alturas -----	8,990	20	1	20.0
<b>AMADOR COUNTY</b>				
Jackson -----	7,879	15	1	15.0
<b>DEL NORTE COUNTY</b>				
Crescent City -----	8,271	19	1	19.0
<b>MARIPOSA COUNTY</b>				
Mariposa -----	2,943	6	C.H.P.	--
<b>TRINITY COUNTY</b>				
None -----	--	--	--	--
<b>SIERRA COUNTY</b>				
None -----	--	--	--	--
<b>MONO COUNTY</b>				
Bridgeport -----	862	3	C.H.P.	--
<b>ALPINE COUNTY</b>				
None -----	--	--	--	--

**MOTION TO PRINT REPORT**

Senator Hulse moved that the foregoing portion of the report submitted by the Legislative Budget Committee be printed in the Journal, and the remaining portion be printed in the Appendix to the Journal, and 1,000 additional copies be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

January 5, 1953

*To the President of the Senate,  
The Speaker of the Assembly,  
and to Members of the Senate and Assembly*

During the 1952 Regular Session, the Joint Committee on Water Problems submitted to the Legislature a partial report which concerned problems vitally affecting the entire economy of the State. Those problems related to the application of state law in the control, appropriation, use and distribution of water sought to be appropriated by the United States for federal reclamation projects, primarily in connection with the Central Valley Project.

During the 1952 Regular Session and the concurrent 1952 First Extraordinary Session the Legislature considered and acted on the problems indicated by the partial

report as well as other water problems which came to the committee's attention after the report had been completed.

Your committee now submits this Second Partial Report to advise the Members of the Legislature as to action that has been taken in seeking to solve these problems.

Respectfully submitted,

J. HOWARD WILLIAMS  
GEO. J. HATFIELD  
JESSE M. MAYO  
BEN HULSE  
RALPH R. CLOYED  
J. B. COOKE  
ROBERT C. KIRKWOOD  
CARLEY V. PORTER  
HAROLD K. LEVERING

#### MOTION TO PRINT REPORT

Senator Williams moved that the letter of transmittal be printed in the Journal and the second partial report of the Joint Committee on Water Problems of the California Legislature be printed in Appendix to the Journal.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 197:** By Senator Busch—An act to add Section 66u of the Code of Civil Procedure, relating to the number of judges of the superior court in the County of Mendocino, and providing for the appointment of one additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 198:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 19258 of the Government Code, relating to the personnel of the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 199:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Referred to Committee on Business and Professions.

**Senate Bill No. 200:** By Senator Murdy—An act to amend Section 1352 of the Labor Code, relating to hours of labor for women.

Referred to Committee on Labor.

**Senate Bill No. 201:** By Senators Harold T. Johnson and Way—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 202:** By Senator Thompson—An act to amend Section 406 of the Education Code, relating to the salaries of county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 203:** By Senator Thompson—An act to add Section 13956 to the Government Code, relating to the purchase of passenger-type motor vehicles for state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 204:** By Senator Thompson—An act to add Section 37 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, making an appropriation to be allocated to cities incorporated on or after September 5, 1952, and before December 2, 1952, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 205:** By Senator Thompson—An act to add Section 37 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, making an appropriation to be allocated to cities incorporated on or after September 5, 1952, and before December 2, 1952, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 206:** By Senator Thompson—An act to amend Sections 6710, 6711, 6712, 6751, 6753, 6775, and 6787 of the Business and Professions Code, relating to professional engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 207:** By Senator Regan—An act to add Article 4, comprising Section 53260, to Chapter 2, Part 1, Division 2, Title 5, of the Government Code, relating to firemen's hours of employment.

Referred to Committee on Local Government.

**Senate Bill No. 208:** By Senator Regan—An act to add Section 227 to the Labor Code, relating to payments by employers into employee benefit funds.

Referred to Committee on Labor.

**Senate Bill No. 209:** By Senator Regan—An act to amend Section 225 of the Labor Code, relating to violation of certain laws relating to payment of wages.

Referred to Committee on Labor.

**Senate Bill No. 210:** By Senator Regan—An act to amend Section 554 of the Labor Code relating to the day of rest.

Referred to Committee on Labor.

**Senate Bill No. 211:** By Senator Regan—An act to add Section 270.1 to the Labor Code and to amend Section 272 to the Labor Code, relating to security for wages.

Referred to Committee on Labor.

**Senate Bill No. 212:** By Senator Regan—An act to amend Section 1682 of the Labor Code relating to farm labor contractors.

Referred to Committee on Labor.

**Senate Bill No. 213:** By Senator Regan—An act to add Section 204(b) to, and to amend Section 205 of, the Labor Code, relating to payment of wages.

Referred to Committee on Labor.

**Senate Bill No. 214:** By Senator Regan—An Act to amend Section 1688 of the Labor Code, relating to licensing of farm labor contractors.

Referred to Committee on Labor.

**Senate Bill No. 215:** By Senator Regan—An act to add Sections 1624.1 and 1635.1 to the Labor Code, relating to private employment agencies.

Referred to Committee on Labor.

**Senate Bill No. 216:** By Senator Regan—An act to amend Section 1628 of the Labor Code and to add Sections 1629.1, 1629.2 to said Code, relating to employment agency contracts.

Referred to Committee on Labor.

**Senate Bill No. 217:** By Senator Regan—An act to amend Sections 2350 and 2351 of the Labor Code, relating to sanitation and ventilation at places of employment.

Referred to Committee on Labor.

**Senate Bill No. 218:** By Senator Regan—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 219:** By Senator Regan—An act to add Sections 64, 103, and 104 to the Labor Code, relating to reciprocal agreements with other states for collection of wages.

Referred to Committee on Labor.

**Senate Bill No. 220:** By Senator Regan—An act to add Section 20021.6 to the Government Code, relating to retirement of constables.

Referred to Committee on Local Government.

**Senate Bill No. 221:** By Senator Regan—An act to add Section 679.4 to the Vehicle Code, relating to the loading and securement of trailers on vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 222:** By Senator Regan—An act to amend Section 391 of, and to add Section 391.7 to the Agricultural Code, relating to stray domestic animals.

Referred to Committee on Agriculture.

**Senate Bill No. 223:** By Senator Regan—An act to amend Section 1144 of the Probate Code, relating to the administration of small estates.

Referred to Committee on Judiciary.

**Senate Bill No. 224:** By Senators Way, Dorsey, Erhart, and Coombs—An act to amend Section 803 of the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game.

**Senate Bill No. 225:** By Senator Busch—An act to repeal Section 39.6 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 226:** By Senator Busch—An act to amend Section 39.2 of the Fish and Game Code, relating to fish and game and the administration of the laws pertaining thereto.

Referred to Committee on Fish and Game.

**Senate Bill No. 227:** By Senator Busch—An act to amend Section 315 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 228:** By Senator Busch—An act making an appropriation with respect to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 229:** By Senator Busch—An act to repeal Chapter 3 of Division 1 of the Fish and Game Code, relating to county game wardens.

Referred to Committee on Fish and Game.

**Senate Bill No. 230:** By Senator Byrne—An act to amend Sections 5654 to 5659, inclusive, 5661 to 5664, inclusive, and 5666 of the Public Resources Code, relating to districts.

Referred to Committee on Local Government.

**Senate Bill No. 231:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2946 of the Penal Code, relating to the state correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 232:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 5063 of the Penal Code, relating to the correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 233:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Sections 5077 and 5080 of the Penal Code, relating to the state correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 234:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to add Section 5055.5 to the Penal Code, relating to the state correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 235:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2401 of the Penal Code, relating to the state correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 236:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2081 of the Penal Code, relating to the state correctional system.

Referred to Committee on Institutions.

**Senate Bill No. 237:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to add Chapter 9, comprising Sections 6200 to 6208, inclusive, to Title 7 of Part 3 of the Penal Code, relating to the establishment of the California Correctional Facility under the jurisdiction of the Department of Corrections, prescribing its purpose, and relating to the commitment and transfer of persons thereto and therefrom.

Referred to Committee on Institutions.

**Senate Bill No. 238:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 5093 of the Penal Code, relating to the maximum gross annual production of enterprises subject to the jurisdiction of the Correctional Industries Commission.

Referred to Committee on Institutions.

**Senate Bill No. 239:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2714 of the Penal Code, relating to the refund of deposits from the Correctional Industries Revolving Fund.

Referred to Committee on Institutions.

**Senate Bill No. 240:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2700 of the Penal Code, relating to the compensation of prisoners.

Referred to Committee on Institutions.

**Senate Bill No. 241:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2690 of the Penal Code, relating to the temporary removal of prisoners.

Referred to Committee on Institutions.



**Senate Bill No. 242:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 2601 of the Penal Code, relating to the right of inheritance of persons sentenced to imprisonment in the state prison for life.

Referred to Committee on Institutions.

**Senate Bill No. 243:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 664 of the Penal Code, relating to the punishment of persons for attempted crimes.

Referred to Committee on Institutions.

**Senate Bill No. 244:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 5061 of the Penal Code, relating to the payment of burial expenses and charges related thereto of persons confined in any state institution subject to the jurisdiction of the Director of Corrections.

Referred to Committee on Institutions.

**Senate Bill No. 245:** By Senator Hoffman—An act to amend Section 1 of Chapter 1161 of the Statutes of 1951, relating to the Municipal Court of the City of Stockton.

Referred to Committee on Local Government.

**Senate Bill No. 246:** By Senator Erhart—An act to repeal Article 3.5 of Chapter 2 of Division 10 and add Article 3.5 of Chapter 2 of Division 10 comprising Sections 20391 to 20394.12, inclusive, of the Education Code, relating to the dismissal of employees not in state civil service in state colleges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 247:** By Senator Erhart—An act to add Section 20360 to the Education Code, relating to commencement exercises and other public ceremonies.

Referred to Committee on Education.

**Senate Bill No. 248:** By Senator Erhart—An act to repeal Article 3.3 of Chapter 2 of Division 10 and to add Article 3.3 of Chapter 2 of Division 10, comprising Sections 20381 to 20387, inclusive, of the Education Code, relating to leaves of absence in state colleges.

Referred to Committee on Education.

**Senate Bill No. 249:** By Senator Montgomery—An act to amend Sections 19153 and 19154 of the Education Code, relating to educational facilities.

Referred to Committee on Education.

**Senate Bill No. 250:** By Senator Breed—An act to amend Section 30101 of the Streets and Highways Code, relating to toll bridges, tubes, or other toll highway crossings.

Referred to Committee on Transportation.

**Senate Bill No. 251:** By Senator Erhart—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Referred to Committee on Judiciary.

**Senate Bill No. 252:** By Senator Burns—An act to add Section 10854.1 to the Revenue and Taxation Code, to add Section 378.1 to the Vehicle Code, and to add Section 9.5 to Chapter 788 of the Statutes of 1937, relating to motor vehicle fees.

Referred to Committee on Transportation.

**Senate Bill No. 253:** By Senator Williams—An act to amend Section 1171.1 of the Fish and Game Code, relating to the training of hunting dogs on native game birds.

Referred to Committee on Fish and Game.

**Senate Bill No. 254:** By Senator Williams—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 255:** By Senators Williams, Hulse, Hatfield, and Mayo—An act to add Article 7 to Chapter 1, Division 10 of, and to amend Sections 20023, 23220, 24252, and 24253 of, the Water Code, relating to supervision of districts.

Referred to Committee on Water Resources.

**Senate Bill No. 256:** By Senator Williams—An act to amend Section 4862 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 257:** By Senator Williams—An act to amend Section 4861 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 258:** By Senator Williams—An act to amend Section 628 of the Agricultural Code, relating to Grade A sterilized, pasteurized milk.

Referred to Committee on Agriculture.

**Senate Bill No. 259:** By Senator Williams—An act to amend Section 628 of the Agricultural Code, relating to the definition of Grade A sterilized, pasteurized milk, and authorizing the Director of Agriculture to promulgate regulations with respect thereto.

Referred to Committee on Agriculture.

**Senate Bill No. 260:** By Senator Williams—An act making an appropriation for the support of the Porterville State Home, to take effect immediately.

Referred to Committee on Institutions.

**Senate Bill No. 261:** By Senator Williams—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 262:** By Senator Williams—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 263:** By Senator Williams—An act to add Section 692 to, and to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, 619.5, 620, 621, 621.5, 652, 653, 654, 655, 656, 657, 658, 691, 693, 694, 695, 698, 698.5, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 721, 722, 724.5, 727, 728, 804, 809, 810, 810.5, 1200, 1201, 1270, 1272, and 1341 of, the Fish and Game Code, relating to seasons and bag limits for fish and game and the sale of fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 264:** By Senator Williams—An act to repeal Sections 118, 793, and 794 of, to amend Sections 792, 794.5, 796, 801.5, and 802 of, and to add Sections 794.6, 794.7, and 794.8 to, the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

**Senate Bill No. 265:** By Senator Williams—An act to amend Section 992 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 266:** By Senator Williams—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 267:** By Senator Williams—An act to amend Section 2 of the Water Conservation Act of 1927 (Chapter 91, page 160 of the Statutes of 1927), relating to powers and duties of water conservation districts.

Referred to Committee on Local Government.

**Senate Bill No. 268:** By Senator McBride—An act to amend Section 6103 of the Government Code, relating to fee for official services.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 269:** By Senator McBride—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 270:** By Senator McBride—An act to amend Section 1659 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Referred to Committee on Financial Institutions.

**Senate Bill No. 271:** By Senator McBride—An act to amend Section 1648.6 of the Insurance Code, relating to insurance brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 272:** By Senator McBride—An act to amend Section 1645 of the Insurance Code, relating to insurance agent's and broker's licenses.

Referred to Committee on Financial Institutions.

**Senate Bill No. 273:** By Senators Collier and Powers—An act to amend Section 736.11 of the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 274:** By Senator Harold T. Johnson—An act to add Sections 547 and 548 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 275:** By Senator Harold T. Johnson—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 276:** By Senator Hulse—An act to add Section 11007.6 to the Government Code, relating to the powers of the Department of Finance with respect to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 277:** By Senator Hulse—An act to amend Section 13943.5 of the Government Code, relating to the collection of taxes, licenses, fees or other money.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 278:** By Senator Hulse—An act to amend Section 4 of Chapter 7 of the Statutes of 1951, relating to revenues of tide and submerged lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 279:** By Senator Hulse—An act to transfer funds to the San Francisco Harbor Improvement Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 280:** By Senator Hulse—An act to repeal Section 9 of the Construction and Employment Act, relating to money made available for the administration of said act, and to provide for the disposition of the unexpended portion of said money.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 281:** By Senator Hulse—An act making an appropriation to the Capital Outlay and Savings Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 282:** By Senator Hulse—An act to amend Chapter 145 of the Statutes of the 1946 (First Extraordinary) Session, relating to a program of construction, improvement and equipment for state



agencies, by repealing Section 8 thereof which authorizes the expenditure of certain funds for administration of the act, and to provide for the disposition of the unexpended portion of such funds.

Referred to the Committee on Governmental Efficiency.

**Senate Bill No. 283:** By Senator Hulse—An act to amend Section 20027 of the Water Code, relating to the California Districts Securities Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 284:** By Senator Hulse—An act to amend Section 710 of the Code of Civil Procedure, relating to the enforcement of judgments against debtors to whom money is owed by public agencies.

Referred to Committee on Judiciary.

**Senate Bill No. 285:** By Senator Hulse—An act to amend Section 11010 of the Government Code, relating to services by one state agency for another.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 286:** By Senator Hulse—An act to repeal Section 5009 of, and to add Section 5009 to, the Education Code, relating to school district audits.

Referred to Committee on Education.

**Senate Bill No. 287:** By Senator Hulse—An act to amend Section 3 of Chapter 12 of the Statutes of 1951, relating to disposition of rentals from the Department of Motor Vehicle Building.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 288:** By Senator Hulse—An act to amend Section 18859 of the Government Code, relating to compensation of civil service employees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 289:** By Senator Hulse—An act to add Section 13118 to the Government Code, relating to the payment of expenses incurred by the Department of Finance.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 290:** By Senator Hulse—An act to repeal Sections 13163, 13165, 13166 and 13167 of, and to amend Section 13164 of, the Government Code, relating to the Service Revolving Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 291:** By Senator Williams—An act to amend Section 628 of the Agricultural Code, relating to Grade A, pasteurized, sterilized milk.

Referred to Committee on Agriculture.

**Senate Bill No. 292:** By Senator Williams—An act to amend Section 628 of the Agricultural Code, relating to Grade A pasteurized, sterilized milk.

Referred to Committee on Agriculture.

**Senate Bill No. 293:** By Senators Hoffman and Thompson—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Referred to Committee on Agriculture.

**Senate Bill No. 294:** By Senator Hoffman—An act to amend Sections 1351 and 1352 and to repeal Section 1354 of the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

**Senate Bill No. 295:** By Senator Hoffman—An act to amend Section 25653 of the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 296:** By Senators Hoffman and Thompson—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 297:** By Senator Sutton—An act to add Part 3.5, comprising Sections 9401 to 9598, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the levy and collection of a highway users mileage tax, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 298:** By Senator Desmond—An act to amend Section 735.3 of the Agricultural Code containing definitions under Chapter 13 of Division 4 of the Agricultural Code.

Referred to Committee on Agriculture.

**Senate Bill No. 299:** By Senator Desmond—An act to amend Section 637 of the Agricultural Code, relating to mixed milk or cream drinks.

Referred to Committee on Agriculture.

**Senate Bill No. 300:** By Senator Desmond—An act to renumber Article 2 of Chapter 6 of Division 4 of the Agricultural Code and each of the sections of said article, relating to imitation ice cream and ice milk, and to amend Section 576 of said article; to add to the Agricultural Code Sections 576 through 583, relating to Mellorine; to amend Section 660 of the Agricultural Code, relating to licenses for manufacturing milk and milk products; to amend Section 661 of the Agricultural Code, relating to licenses for the manufacture of frozen dairy products; and to amend Section 730 of the Agricultural Code, relating to definitions of "milk" and "dairy products."

Referred to Committee on Agriculture.

**Senate Bill No. 301:** By Senator Desmond—An act to amend Section 736.12 of the Agricultural Code, relating to the determination of minimum prices in marketing areas.

Referred to Committee on Agriculture.

**Senate Bill No. 302:** By Senator Desmond—An act to amend Section 479 of the Agricultural Code, relating to the labeling of market milk.

Referred to Committee on Agriculture.

**Senate Bill No. 303:** By Senators Thompson and Hoffman—An act to amend Section 13105 of the Health and Safety Code, relating to duties of the State Fire Marshal.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 304:** By Senators Thompson and Hoffman—An act to amend Section 9575 of the Business and Professions Code, relating to the Dry Cleaners' Fund.

Referred to Committee on Business and Professions.

**Senate Bill No. 305:** By Senator Thompson—An act to repeal Section 1580 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of transportation of certain needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 306:** By Senator Regan—An act to amend Sections 4351 and 4352 of the Public Resources Code, relating to state nurseries.

Referred to Committee on Natural Resources.

**Senate Bill No. 307:** By Senators Byrne, Hoffman, McCarthy, Erhart, and Burns—An act to amend Sections 1711 and 1712 of, and to add Sections 1711.5 and 1720 to, and to repeal Section 1720 of, the Welfare and Institutions Code, relating to the Youth Authority.

Referred to Committee on Institutions.

**Senate Bill No. 308:** By Senators Byrne, Hoffman, Erhart, McCarthy, and Burns—An act to amend Section 11715.6, of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 309:** By Senator Ed. C. Johnson—An act to amend Section 437 of the Education Code, relating to the salary of the superintendent of schools of a county of the thirty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 310:** By Senator O'Gara—An act to repeal Section 5411 and to amend Section 5412 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 311:** By Senator O'Gara—An act to add Section 388.1 to the Code of Civil Procedure, relating to labor unions.

Referred to Committee on Labor.

**Senate Bill No. 312:** By Senator O'Gara—An act to repeal Sections 4050, 4051, 4052, 4053, 4056, 4602, 4603, and 4604, and to amend Sections 4600 and 4601 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 313:** By Senator O'Gara—An act to add Sections 1469 and 1470 to the Civil Code, relating to covenants in leases affecting contiguous real property.

Referred to Committee on Judiciary.

**Senate Bill No. 314:** By Senator O'Gara—An act to amend Section 13001.2 of the Education Code, authorizing the employment of persons requiring certification qualifications and the payment of compensation to such persons.

Referred to Committee on Education.

**Senate Bill No. 315:** By Senator O'Gara—An act to add Article 8.5 to Chapter 2, Division 10, and to repeal Section 19619, of the Education Code, relating to the maintenance of a child care center by the San Francisco State College, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 316:** By Senator Dilworth—An act to amend Section 7717 of the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 317:** By Senators O'Gara and Miller—An act to add Section 773 to the Public Utilities Code to prohibit the Public Utilities Commission from permitting a decrease in train service, below the service prevailing on January 1, 1953, across state-owned toll bridges or other highway crossings by any interurban railway company or companies operating across such bridges or highway crossings.

Referred to Committee on Public Utilities.

**Senate Bill No. 318:** By Senator Thompson—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 319:** By Senator Thompson—An act to add Section 12264 to the Government Code, relating to the photographic reproduction of public records.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 320:** By Senator Thompson—An act to add Section 1465.1 to the Code of Civil Procedure relating to the definition and disposition of property presumed to be abandoned.

Referred to Committee on Judiciary.

**Senate Bill No. 321:** By Senator Desmond—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 322:** By Senator Desmond—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Referred to Committee on Local Government.



**Senate Bill No. 323:** By Senator Desmond—An act to provide a uniform method for the collection of special district taxes and assessments.

Referred to Committee on Local Government.

**Senate Bill No. 324:** By Senator Ward—An act to amend Section 800 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

**Senate Bill No. 325:** By Senator Ward—An act to amend Section 797 of the Fish and Game Code, relating to abalone meat.

Referred to Committee on Fish and Game.

**Senate Constitutional Amendment No. 3:** By Senators Miller, McCarthy, McBride, Montgomery, Harold T. Johnson, Regan, Cunningham, Way, Burns, Donnelly, and Gibson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Elections.

**Senate Concurrent Resolution No. 15:** By Senator Powers—Relative to amending the Joint Rules of the Senate and Assembly for the 1953 Regular Session of the California Legislature, by adding Rule 41 thereto, relating to industrial injury reports.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 16:** By Senator Hatfield—Relative to a survey of State utilization of a microwave system of communications.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 17:** By Senators O'Gara and Miller—Relative to the application of the Key System Transit Lines for authority to substitute bus service for certain train lines across the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 18:** By Senators McCarthy, Gibson, O'Gara, Byrne, Parkman, Weybret, Dorsey, Way, Erhart, Brown, McBride, Sutton, Hoffman, Cunningham, Berry, and Montgomery—Relative to reducing tolls on the Golden Gate Bridge.

Referred to Committee on Transportation.

**Senate Joint Resolution No. 2:** By Senators Thompson, Sutton, Ed. C. Johnson, Collier, Desmond, and Byrne—Relative to operation of Shasta Dam.

Referred to Committee on Rules.

**Senate Joint Resolution No. 3:** By Senator Regan—Relative to acquisition of the Central Valley Project by the State.

Referred to Committee on Rules.

**Senate Joint Resolution No. 4:** By Senator Regan—Relative to acquisition of the Central Valley Project by the State.

Referred to Committee on Rules.

**Senate Joint Resolution No. 5:** By Senator Hatfield—Relative to the proposal of the Federal Communications Commission to withdraw radio-telegraph frequencies used by the California State Department of Agriculture in its Federal-State Market News Service.

Referred to Committee on Rules.

#### Senator Donnelly Presiding

At 12 m., Senator Hugh P. Donnelly of the Twenty-second District, presiding.

### RESOLUTIONS

The following resolutions were offered:

By Senator Hoffman:

#### Senate Resolution No. 21

Relating to the State of California accepting a gift of a statue of Jedediah S. Smith

WHEREAS, It has come to the attention of the Legislature that a historical society is willing to make a contribution to the State of California for the purpose of erecting a statue in memory of Jedediah Smith; and

WHEREAS, Jedediah Strong Smith was a great explorer and scout of the West, a man of strong, outstanding moral and religious convictions, and the first American to cross the Sierra Nevada into California; and

WHEREAS, Jedediah S. Smith was the discoverer of the central route from the Rocky Mountains into California, which route was used by others following him in the Great Western Movement; and

WHEREAS, The Director of Finance has authority under Section 11005.1 of the Government Code to accept any gift of real or personal property when he believes the gift is in the best interests of the State of California; and

WHEREAS, The Legislature believes that it would be to the best interest of the State of California to accept a contribution of a historical society for the purpose of erecting a statue in commemoration of the great pioneer of the West, Jedediah Smith; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Senate respectfully urges the Director of Finance to accept the gift of a statue of Jedediah Smith, and the Director of Finance is urged to provide for its being erected in a suitable place on the State Capitol grounds; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of Finance.

Resolution read, and referred to Committee on Rules.

By Senator Hulse:

#### Senate Resolution No. 22

Relative to the continuance of the Senate Committee on State and Local Taxation

*Resolved by the Senate of the State of California,* As follows:

1. The Senate Committee on State and Local Taxation, created by Senate Resolution No. 190 of the 1951 Regular Session, is continued as a Senate committee at this 1953 Regular Session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the ex-

penses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 2	Senate Concurrent Resolution No. 9
Senate Concurrent Resolution No. 4	Senate Concurrent Resolution No. 10
Senate Concurrent Resolution No. 8	Senate Concurrent Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above bills ordered enrolled.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 7**—Approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the fourth day of November, 1952;

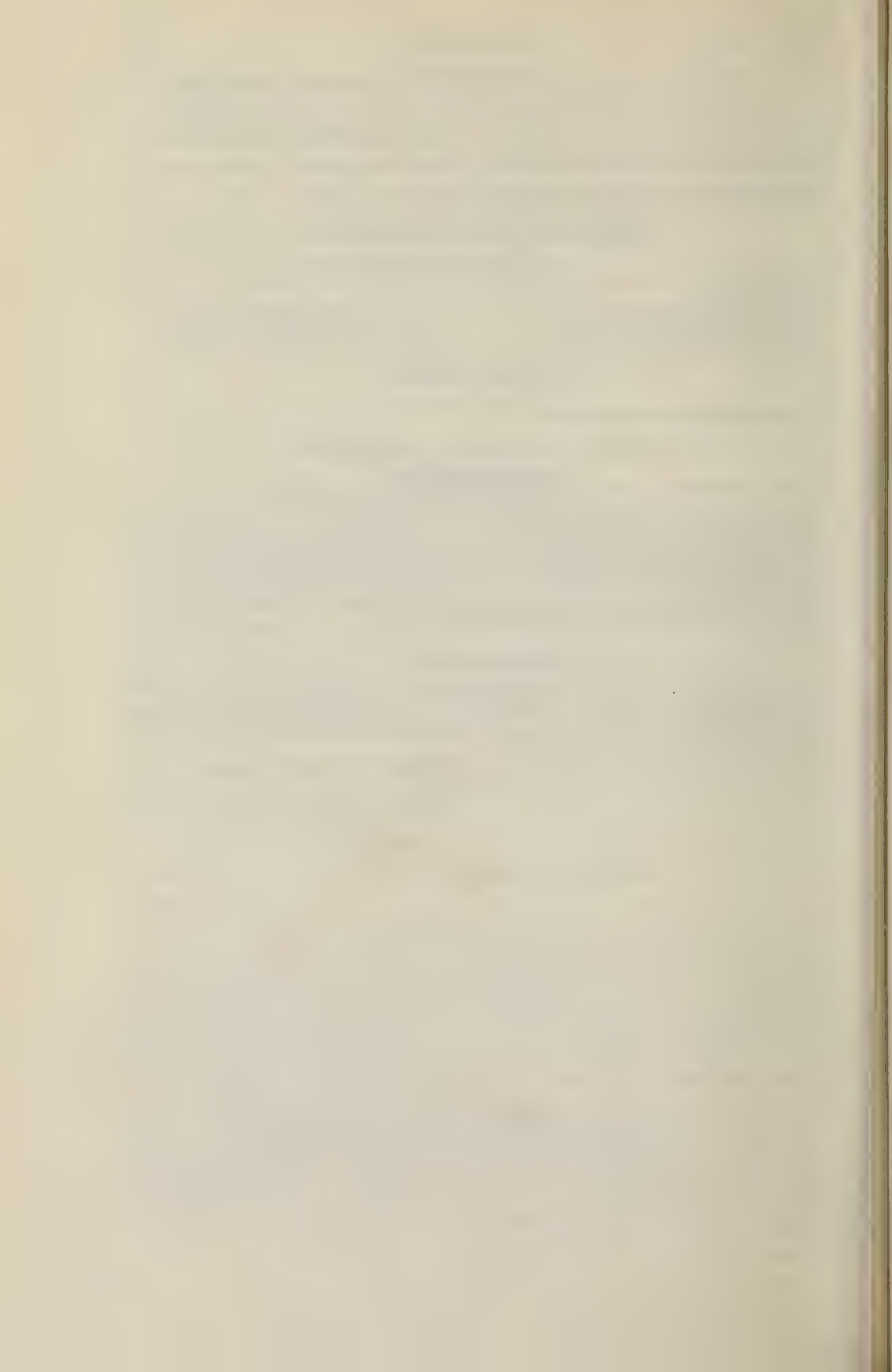
And reports that the same has been correctly enrolled, and presented to the Secretary of State on the ninth day of January, 1953, at 11 a.m.

POWERS, Chairman

#### ADJOURNMENT

At 12.05 p.m., on motion of Senator Gibson, the President declared the Senate adjourned until 2 p.m., Monday, January 12, 1953, out of respect to the memory of the late Honorable Ernest C. Crowley.

JOHN F. LEA, Minute Clerk





# CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, January 12, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret -36.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Harold T. Johnson, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Powers, due to legislative business.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Burns led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Marion Beale and Mrs. Beatrice Brown, teachers at the Grant School, 2940 Pacific Ave., San Francisco, and the following seventh and eighth grade students: Brooksley Born, John Card, Susan Colomb, Richard Colsky, Larry Draper, Josua Eppinger, Richard Guggenheim, Jean Isaacson, Laurice Jacobs, Kent Jacobsen, Michael Kavanaugh, Elise Lindley, Dick Mason, Harry Miller, Jeffrey Mishkind, Val Mosalsky, Harry Page, Susan Port, Richard Risbrough, Jack Wolfenden, Peter Allen, Lynn Arias, Ross Beales, Jeffrey Brinck, Dennis Hess, Sue Honig, Linda Hunsaker, Emy Kumamoto, John Luce, Judy McGettigan, Margaret Roth, Timothy Earle, Russell Henry, Robert Higdon, Lawrence Moss, Richard Plant, William Potts, George Wilson, Stanley Yurfest, Paul Downey, James Lewis, John Matzger, Bob Nason, Kit Cole, Kenneth High, Paul Matzger, Tom Meschery, Richard Price, Bruce McIntosh, Deming Upson, Larry Westdahl, Stephen Weil, Adele Busbee, Betty Cook, Terry Critz, Sandra Diekey, Suzy Friend, Joan Hartman, Ursula Holstius, Diane Johnson, Wendy Kaufmann, Claudette Lewis, Mary Ann Shira, Glenda Wilkins, Tondi Cummings, Jane Howell, Suzanne Leon, Susan Mayers, Marilyn May, Jane Patterson, Sally Arquette, Bonnie Greene, Jerrill Jacobs, Jeanne Klein, Renee Klein, Marilyn Munter, Cynthia Smith, Paula Tracy, Mary Louise Sugg, and Wendy Tibbi.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sarah C. Caldwell of Washington, D. C.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Arsenio of San Luis Obispo.

On request of Senator Kraft and Lt. Gov. Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Nate Rosenberg of San Diego.

On request of Senators Regan and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clara Shipser of Berkeley.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. E. B. Collins of Alaska.

**COMMUNICATIONS**

The following communications were received and read, and ordered printed in the Journal:

STATE LANDS COMMISSION,  
DIVISION OF STATE LANDS  
SACRAMENTO, January 5, 1953

*To the Senate of the State of California:*

Pursuant to the provisions of Section 6211 of the Public Resources Code (formerly Chapter 800, Statutes of 1917), may we respectfully report that, according to advices

received, certificates of title under the Torrens law were issued by the following counties in accordance with the tabulation below :

Alameda -----	219	San Bernardino -----	18,506
Fresno -----	135	San Diego -----	11,476
Humboldt -----	555	San Francisco -----	34
Imperial -----	80	San Luis Obispo -----	9
Inyo -----	5	Santa Barbara -----	1,733
Kern -----	237	Santa Cruz -----	720
Los Angeles -----	226,773	Sierra -----	8
Merced -----	1	Sonoma -----	1,351
Mono -----	5	Tulare -----	144
Orange -----	15,142	Ventura -----	7
Riverside -----	475		

It will be noted that there are but 21 counties included in the above tabulation. The remaining counties have heretofore reported that there are not now and have not been in the past any Torrens title registrations in their respective counties.

The books of the State Treasurer, as reflected by his report for the fiscal year ending June 30, 1952, show a cash balance of \$60.76 in the "Torrens Title Assurance Fund" and a net deficit of \$7,921.21.

Respectfully submitted,

STATE LANDS COMMISSION,  
DIVISION OF STATE LANDS  
By A. P. IRELAND

Date: January 12, 1953

Honorable Joseph A. Beck  
Secretary of the Senate  
State Capitol  
Sacramento, California

From: State Board of Equalization, Dixwell L. Pierce, Secretary

Subject: Liquor Control Resolutions

At the direction of the board I am happy to transmit to you for suggested inclusion in the Journal of the Senate copies of two resolutions pertaining to alcoholic beverage control adopted unanimously by the State Board of Equalization at its most recent meeting here last week.

You will observe that each resolution was introduced by Hon. William G. Bonelli, chairman of the board and its member from the Fourth Equalization District. Joining him in the favorable vote upon the resolution were Hon. George R. Reilly, vice chairman of the board and its First District member, Hon. James H. Quinn, member from the Second District, and Hon. Paul R. Leake, member from the Third District. Because of the pressure of other duties, Hon. Robert C. Kirkwood, State Controller, and ex officio member of the board, was not present when the vote was taken.

The resolution recommending the transfer of responsibility for administration of liquor control laws to a separate Alcoholic Beverage Control Commission is, I believe, completely self-explanatory. Perhaps it might be pointed out with respect to the other resolution which pertains to modification of the law regarding liquor license limitation that "A" licenses mentioned therein are on sale beer and wine while "P" licenses, also mentioned, are on sale general and that both include the right to sell alcoholic beverages by the drink, i.e. for consumption on the premises where sold.

The board members have asked me to reiterate that, working under the pertinent provisions of the Constitution and the statutes, they have given and are giving their best effort to liquor control administration but that they have adopted the resolution recommending legislative action because they believe that the proposed separation of the problems of liquor control from those encountered in tax administration will improve both state services from social, political, and economic standpoints.

DIXWELL L. PIERCE

January 8, 1953

#### STATE BOARD OF EQUALIZATION

##### RESOLUTION REGARDING TRANSFER OF LIQUOR CONTROL

Introduced by William G. Bonelli, Chairman

WHEREAS, The people of California, by constitutional provision, have provided, under the jurisdiction of the State Board of Equalization, for state regulation of the manufacture and sale of alcoholic beverages in conjunction with local policing of premises licensed for the sale of such beverages; and

WHEREAS, A separate alcoholic beverage control authority, protected in every possible way from political influences and having wide authority over liquor law administration, will promote public welfare; and

WHEREAS, The rapidly increasing population of California, with the attendant increase in licenses, permits, revenues, valuations, and hearings and litigation in connection therewith, merits the full attention of the State Board of Equalization; and

WHEREAS, A separation of the problems of liquor control from the general taxing problems of the State will improve the administration of both state services from social, political and economic standpoints;

Now, therefore, be it resolved by the Members of the Board of Equalization that they respectfully recommend to the Legislature action at its 1953 Session appropriate to achieve the following objectives:

1. Submission to the people of a constitutional amendment creating an Alcoholic Beverage Commission, consisting of members appointed by the Governor and confirmed by the State Senate, whose responsibility it shall be to administer the laws of California pertaining to the regulation of the manufacture and sale of such beverages;

2. Inclusion in the proposal of provision for judicial review of the acts of the Alcoholic Beverage Commission thus assuring that there may be speedy access to the courts to determine the lawfulness of its orders, and insuring against the possibility of arbitrary exercise of its powers;

Enactment of legislation to effectuate the purpose of the constitutional amendment by providing, upon its adoption, for the transfer of regulatory responsibility under the Alcoholic Beverage Control Act from the State Board of Equalization to the Alcoholic Beverage Commission, together with the removal from the act of its excise tax provisions to the end that they may be administered thereafter as a part of the Revenue and Taxation Code by the State Board of Equalization.

January 8, 1953

### STATE BOARD OF EQUALIZATION

#### RESOLUTION REGARDING LIQUOR LICENSE LIMITATION

*Introduced by William G. Bonelli, Chairman*

WHEREAS, The Legislature of the State of California has provided by statute for the issuance of On-Sale General Licenses in terms of 1 such license for each 1,000 of population, as established by the most recent census; and

WHEREAS, The 1950 census indicates that the enormous growth of certain counties of the State permits or requires the issuance of great numbers of new On-Sale General Licenses; and

WHEREAS, In all of the counties of the State there are already sufficient licenses to adequately serve public convenience and necessity, and the issuance of great numbers of such new licenses would be contrary to public welfare and morals, and might create unusual police problems; and

WHEREAS, The population needs for alcoholic beverage premises vary according to economic, geographic, and environmental factors in the various counties;

Now, therefore, be it resolved, that the State Board of Equalization does hereby recommend amendment of the existing statute affecting the subject matter so as to authorize and make possible the rejection of all new applications for On-Sale General Licenses in all counties in the State by providing that no such licenses shall be issued in any county of over 1,000,000 population when there already exist one "A" and/or "P" License for each unit of 2,000 population therein; and that in counties of 500,000 to 1,000,000 of population when there already exist one "A" and/or "P" for each unit of 1,500 population therein; and that in all other counties the formula shall remain as at present, providing for one "A" and/or "P" License for each unit of 1,000 of population therein; and

Be it resolved further that appropriate notice of this action and recommendation be submitted to the California Legislature for its consideration.

### MESSAGES FROM THE GOVERNOR

#### BUDGET MESSAGE

By GOVERNOR EARL WARREN, 1953-1954 BUDGET

*To the Senate and Assembly of the Legislature of California:*

In conformity with Section 34 of the Article IV of the Constitution, I submit to you the Budget for the State of California for the fiscal year ending June 30, 1954, together with my recommendations regarding financing it.

California State Government today is in an excellent financial position. We will finish the present fiscal year with our budget in balance and with our vital reserves intact, but as we look into the future we find difficulties in maintaining such a balance under present tax levels because of expense incurred by direct action of the people. The recent action of the voters in adopting a constitutional amendment substantially increasing state support of public schools added a burden to state finances which were already under the strains of inflation, increasing population, still greater school enrollment growth, shifting of obligations from local government to the State, and



public demands for more and better services. This increase in school support is almost \$70,000,000 for the budget year, 1953-54, and will mount as the number of youngsters in our schools continues to grow.

Total expenditure requirements for the 1953-54 Fiscal Year are estimated at \$1,326,851,805. This represents an increase of \$82,787,967, or 6.7 percent, over the current year, most of which is for the increased school payment of almost \$70,000,000. Special funds account for \$492,389,017 of these expenditures; \$834,462,788 must be met from taxes and other revenues available to the General Fund.

Inflation in recent years has swelled our revenues as well as increased our costs. Prudent fiscal policies have left us with a \$66,000,000 surplus and have enabled us to put aside some reserve funds for the purpose of liquidating long-term indebtedness and providing for certain future requirements that should reasonably be anticipated. It can be seen plainly, however, that revenues under present law will be short of financing the expenditures we are called upon to meet, regardless of how economically we plan our future. As is the case in many situations, there is an easy and a hard way of deciding a difficult issue, but the hard way is usually the right way. It would be easy to use up reserve funds for current expenses without regard for the soundness of these funds and without considering how great the future need for them may be. For a year or so we could consume these reserves, as an improvident farmer would eat up his seed corn, and then face a certain deficit—even a crisis if we should have a slight business depression. The hard way is to face the facts as we see them now and as we reasonably forecast them to be in the future. The following are estimates on the State General Fund for the next three years. The figures are on the assumption that there will be no recession during these years, that inflation will be halted at its present level, that our revenues and state operating expenses will increase only at the rate of growth in state population, and that capital outlays can be held to \$40,000,000 per year as a minimum amount to keep abreast of needs.

#### ESTIMATED FINANCIAL OPERATIONS OF THE STATE GENERAL FUND

Fiscal Years 1953 through 1956  
(in millions of dollars)

	1953-54	1954-55	1955-56
General Fund revenue	\$801.9	\$825.0	\$850.0
General Fund obligations:			
Current expense	\$269.3	\$275.0	\$285.0
Capital outlay	53.6	40.0	40.0
Local assistance	570.4*	621.0	657.0
Total expenditures	\$893.3*	\$936.0	\$982.0
Current operating deficiency	\$91.4*	\$111.0	\$132.0
Carry-over surplus July 1, 1953	\$66.2	—	—
Accumulated deficit June 30th	\$25.2*	\$136.2	\$268.2

Even under these moderately optimistic assumptions revenues are \$91,400,000 short of meeting expenditures for 1953-54, the shortage is \$111,000,000 for 1954-55 and \$132,000,000 for 1955-56. A business slump which would cut our receipts by as much as 10 percent would increase the accumulated deficit at June 30, 1955, to \$218,000,000 and to \$335,000,000 at June 30, 1956, if no new revenue measures are taken. We have prided ourselves for 10 years on a balanced pay-as-you-go budget because a solvent State Government is all-important to the welfare of the people of this State.

The present state tax system was enacted nearly 20 years ago. Except for an adjustment in levies for highway purposes there has been no extension of the tax base and no increase in rates since that time. On the contrary, from 1943 to 1949 we reduced taxes by 15 percent for a total saving to the taxpayers of 561 million dollars. At the present time our people are paying 18 cents less per hundred dollars of income for state taxes than in pre-World War II years. Meanwhile the State has taken on additional burdens which amount to many millions of dollars at present cost levels. Most of these added burdens are in the form of greater assistance to local government. The new rate for state support for public schools is \$180 per pupil compared to the \$60 rate for elementary schools, which did not then include kindergarten, and \$90 for high schools and junior colleges in 1942-43. The State's share of aid to the aged is now six-sevenths of state and local contributions and for blind, three-fourths—in contrast with the former fifty-fifty sharing. Moreover, the average amount of aid paid to the aged, the blind, and to needy children has been approximately doubled in the intervening years. The counties and cities now get the entire proceeds from liquor licenses and the share of motor vehicle in lieu tax to the extent of \$20,000,000 formerly state revenue sources. Truck tax proceeds amounting to \$12,635,000, now going to highway use, were also a

\* Including 5.5 million dollars for the initial year of Aid to the Needy Permanently Disabled, not included in budget totals since the program has not yet been authorized by law.

General Fund tax source. There are now heavier subsidies for local health departments, for aid to crippled children, for child care centers, and for debt service on the school building bonds.

During the last 10 years we have set aside certain moneys in reserve funds and special appropriations as a means either of funding existing obligations or making provision for future exigencies. A review of these reserves, together with their balances as of the beginning of next fiscal year, is enlightening.

Bond Sinking Fund of 1943 \$8,103,521

This fund was established in 1943 and augmented in 1945 with the amount necessary to meet interest and retirement charges on all outstanding state bonds except those which were self-liquidating or which had special liquidating measures. When this fund was established the State became, in effect, debt free. It remained so until the State lent its credit for the school building bond program. Any diversion from this fund would be a form of deficit financing.

Teachers' Retirement Fund Special Deposit \$36,853,000

The amount of \$30,000,000 was transferred to the Teachers' Retirement Fund in 1944 as a partial funding of the accumulated deficit in the Teachers' Retirement System. Interest accrued by next June 30th will be \$6,853,000. Here, again, is a fund which might be diverted for meeting current expenses, but to do so would be to increase this deficit and the need for heavier outlays from current revenues in future years.

Flood Control Fund of 1946 \$16,020,339

This is the cash balance of the \$25,000,000 set aside in 1946 and 1947 to finance local governments' shares of federal flood control projects extending over a period of years. Unfortunately, this balance is insufficient to meet the projects which have already been authorized by law as the amount originally reserved was not sufficient for increasing requirements and because of the subsequent great increase in costs over the original estimates. Dissipation of this reserve would jeopardize the orderly development of flood control projects which are so vital to the people of our State.

Postwar Unemployment and Construction Fund \$6,907,413

This is the balance of the \$90,000,000 appropriated in 1946 for postwar construction by cities and counties. All but \$580,061 of this balance is allocated to particular counties or cities. The remainder was earmarked in 1951 for water pollution control work vitally needed for the purification of our streams.

Revenue Deficiency Reserve \$75,000,000

This reserve (the so-called Rainy Day Fund) was established as a cushion against a drop in revenues below budget estimates which a business depression would produce. It was also made available for disaster relief in case of an extreme national emergency such as an atomic attack. To dissipate this fund would not only weaken the financial stability of the State but would trifle with the life of every man, woman and child in our State. If it is ever needed in time of national disaster, it will be all too small.

Capital Outlay and Savings Fund \$31,785,612

This is a carry-over of funds reserved for capital outlay needs. This budget will require every dollar of this amount to meet absolutely urgent hospital, correctional and educational building needs.

Civil Defense Outlay \$5,434,752

This represents the remainder of the \$12,000,000 set aside in 1951 for civil defense outlays such as fire fighting equipment, rescue equipment, sirens and warning systems, and medical and first aid stockpiles. It is likely that an expanded civil defense program would require the entire amount as originally reserved and this balance should, therefore, be retained at least until we know what the civil defense program of the new national administration will be.

School Bond Retirement Fund \$49,200,000

The voters have now authorized a total of \$435,000,000 in state bonds for the purpose of advancing money to school districts to build school buildings in districts where the school population has so far outstripped the rise in assessed value of taxable property that the individual districts cannot finance the building without state aid.

It is estimated that the school districts will be able to meet approximately two-thirds of the debt service on these bonds, that the remainder will be a net obligation of the State. As a partial funding of this state obligation, \$50,000,000 was placed in this retirement fund. Actually if the State were completely to fund its full share of this obligation approximately \$30,000,000 additional should be placed in this bond retirement fund. As long as the State is obligated to repay a portion of these bonds, this money cannot be considered a surplus and it seems only reasonable that if inflation has been largely responsible for this obligation, revenues obtained during inflationary times should be used to amortize the obligation. Here again is a fund which could be drawn upon to meet the current revenue deficiency, but to do so would mean only adding to future deficits.

In addition to the \$50,000,000 set aside in this fund \$20,000,000 was appropriated this year from the General Fund for school building construction to be advanced to the school districts in the same manner as the bond funds, with the same repayment requirements by the districts. The \$185,000,000 bond issue approved by the voters last November includes authorization for \$20,000,000 in bonds to repay the General Fund if the repayment is necessary to maintain the General Fund with a surplus of at least \$5,000,000 at June 30, 1953. Since the repayment to the General Fund will not be required, under present law this \$20,000,000 in bonds will not need to be sold. A change in law, however, could make this amount available. Such a change would have the result of increasing the State's long-term debt.

#### Central Valley Acquisition-----

\$9,593,919

This is what will remain of the \$10,000,000 appropriation made in the 1952 Budget for plans and "down payment" for the proposed acquisition of the Central Valley Project from the Federal Government. It is probably unnecessary to reserve the entire \$9,594,000 since any purchase arrangement would call for payment out of revenue bond proceeds. The above balance could be used for related water project plans such as the Feather River Project.

As indicated earlier, General Fund expenditures for the 1953-54 Fiscal Year will exceed the revenues of the year by more than \$91,000,000. (The deficiency would be greater by \$31,800,000 were it not for the unappropriated balance of that sum in the Capital Outlay and Savings Fund which will be used to supplement current funds for this budget's proposed capital outlay expenditures.) Against this deficiency we can apply a carry-over surplus of \$66,200,000, giving us a net deficit of \$25,200,000. We could draw upon one or more of the above reserve funds to meet this deficit. That would be the easy way so far as the immediate year is concerned, but there would be another day of reckoning in 1954. In that year our revenue deficiency would be more than \$111,000,000; the surplus would be gone and the reserve diminished.

I repeat, the above forecast is an optimistic one. If, as some economists predict, a business recession occurs after the peak of defense spending in late 1953 causing our revenues to decline, we would be short many millions more. At the same time, decreases in employment opportunities would multiply our expenditure needs for social welfare. Then there would be the inescapable necessity of drastic tax increases at a time when the State's economy could stand it the least.

The question arises as to whether the budget can be balanced solely by reducing expenditures. I believe no one would seriously contend that state expenditures can be reduced 90 to 120 millions of dollars per year without seriously crippling the services State Government renders to our people.

More than 65 percent of the State's expenditures are in the form of fixed charges under continuing appropriations and formulas established in the Constitution and permanent laws. They are not subject to ordinary budget control. They are mostly for schools and social welfare. The people have time and time again voted to increase and extend these costs rather than reduce them.

Of the remaining 35 percent, \$58,600,000 represents additional subventions to local communities and \$95,800,000 is for capital outlay, particularly for hospitals, colleges, the university, youth facilities, and correctional institutions. The remainder of \$309,400,000 is for state expenditures which are subject to budgetary control, the greater part of which are in the fields of mental hygiene, corrections, higher education and protection of natural resources. The expenditure requirements in this budget have been carefully reviewed; the recommended amounts are, in my opinion, minimum requirements for effective performance of necessary services. This State can well be proud of its record of efficient, honest and forward-looking State Government. I offer my full cooperation and the assistance of the personnel of our state departments in your consideration of this budget with the objective of further economies if any can be accomplished. I urge, however, that we avoid false economies. It would be false economy,



for example, to cut the appropriations for the Department of Mental Hygiene in such amounts that it could not proceed with its program of modern medical and psychiatric treatment which restores so many patients to useful lives. To compel it to go back to a program of mere custody would, in the long run, cost more money and fail miserably to meet the human needs. It would not be sound economy to cut our correctional system to the point where the gains in rehabilitating youthful and adult offenders would be lost. It is not good economy to continue with an understaffed Highway Patrol; a moderate increase which will serve to reduce our motor vehicle accident rate is surely good dollars-and-cents economy as well as economy in human life and limb. It would be wasteful to cut the Forestry Division below amounts needed to maintain its splendid record of low fire losses. It is not sound economy to withhold funds for the construction of needed hospitals, college classrooms, and other buildings where the need cannot be denied. Postponement only adds to future budgets.

The budget document presents a complete and fair picture of our financial situation and full information on the requirements for all state departments and functions. Your attention is invited to the major expenditures under each of the three main sections, State Operations, Capital Outlay, and Local Assistance.

### STATE OPERATIONS

As compared to Local Assistance the amounts required for all of the operating expenses of the many agencies and activities of the State Government account for the smaller part of the total budget and a much smaller part of the total increase in expenditures. Most of the increase which is recommended is for putting into operation previously authorized and newly built facilities for educational, hospital and correctional use.

The new Deuel Vocational Institution at Tracy with a capacity for 1,200 inmates will be first occupied in July, 1953. This, in addition to general improvements in parole, feeding and medical care, accounts for most of the increase for the Department of Corrections. Provision is made in the *Youth Authority* section of the department for starting the new Reception Center for Northern California which will be ready in March, 1954.

In the Department of Education the new School for Deaf in Riverside will begin its first year of operation. There will be substantial increases in enrollment at the new state colleges at Long Beach and Sacramento, and moderate increases in the other colleges.

The *University of California* will need a considerable increase for the new Medical School in Los Angeles and the new colleges of letters and sciences at Riverside and Davis.

The *Department of Mental Hygiene* requires funds to operate the new hospital for mental defectives at Porterville for the full budget year, the new hospital for maximum security cases at Atascadero for the latter part of the year, and the new receiving and treatment units at Napa and Stockton soon to be completed. Provision is made for some improvement in feeding, occupational therapies, and social service work.

An augmentation of 180 officers is recommended for the *Highway Patrol* as a further step toward meeting the full need for an adequate policing of highway traffic. A still larger force is badly needed. The proposed increase is limited to the number which can be recruited and trained during the year. This agency is, as you know, supported from the Motor Vehicle Fund.

In conformity with the recommendation of the Personnel Board in its annual report there is included a provision for an increase in the *pay of state employees* which would average 5 percent of present rates. As you will see from a reading of the board's report, a survey of pay increases granted by private industry since the last general increase would justify at least half that amount now and there is a strong likelihood that the full 5 percent will be justified by the beginning of the budget year under our long standing policy of maintaining state pay equal to that in private employment and other governmental units. I call your attention to the fact that the Personnel Board has been conservative in granting pay increases and will turn back unspent approximately \$1,997,716 of the amount you appropriated last year.

These items make up the greater part of the increase under State Operations.

### CAPITAL OUTLAY

This section of the budget deals with all of the State's capital outlay needs, including highways. The amount allocated for highway construction and improvements is limited in this document in accordance with the budget provisions of the Streets and Highways Code to estimates of the receipts which existing laws will yield for this purpose. The recent studies of your Joint Fact-Finding Committee on Highways have shown that present highway revenue measures, in these days of inflated costs, are far short of meeting deficiencies in our Highway System. The terrible toll of injuries and deaths caused by overcrowded highways cannot be allowed to go on. The highway construction problem must be dealt with separately and I shall give you my full cooperation in finding a sound solution without further delay.



A careful review has been made of the construction needs for correctional, educational, and hospital uses. Only the most urgent projects have been included. At present day costs, however, they require a large sum of money and any postponement of them would neither be honest budgeting nor sound economy. For many years during the pre-war depression hardly any funds were appropriated for the then growing capital outlay needs. During the war years, no construction work could be undertaken. In the post-war period we have devoted our efforts to catching up with these long years of neglect. Good progress has been made, but cost increases have almost trebled the amounts required for a given project as compared with prewar levels. To be specific, before World War II we could have constructed the buildings herein recommended for approximately \$33,000,000 instead of the \$90,000,000 we must pay for them at current prices.

We must build to meet the tremendously growing needs of our expanding population. Having grown by almost 4,000,000 in the last 10 years, our population is continuing to increase by approximately 370,000 annually. This means 150,000 new school children, 250,000 more automobiles, 1,500 more patients in our state hospitals and homes, 1,000 more inmates in correctional institutions, and so on, with all of our institutions presently overcrowded.

The largest project for the *Department of Corrections* is the completion of the Medical Facility at Vacaville which will provide additional capacity there and permit some relief of overcrowding at other institutions.

There is included for the *State Colleges* and the *University of California* the most urgently needed additional classrooms and service facilities.

Most of the capital outlay budget for the *Department of Mental Hygiene* is for hospitals for mental defectives. The largest single item is for a start on the new institution near Costa Mesa and more building are included for the hospitals at Porterville, Pacific Colony and Sonoma. You know, I am sure, of the thousands of cases of mentally deficient children on waiting lists which the Department of Mental Hygiene has been unable to accept because of the lack of beds. It is difficult to appraise the hardship and heartache caused to thousands of homes by the failure to take these cases, and the tragedy that many may lose their chances for useful and happy lives because they could not be given early care and treatment under advanced medical methods.

I am happy to say that the brand new hospital for mental defectives at Porterville will be ready to take its first patients in May of this year, but this is only meeting a portion of the shortage. The completion of our entire program for mental defectives will permit the State to meet its responsibility in this field for the first time in its history.

The total of the recommended appropriations from the Capital Outlay and Savings Fund amounts to more than \$83,700,000, including minor construction items and an allotment of \$8,500,000 to meet rises in cost which will have occurred since earlier appropriations were made. This program contemplates appropriating the entire amount of the carry-forward balance of \$31,800,000 in the Capital Outlay and Savings Fund and a transfer of \$51,700,000 from the General Fund. There are large projects of capital outlay yet to be financed. A new campus for the Los Angeles State College of Applied Arts and Sciences, an additional prison and an additional Youth Authority school have been authorized and heavy outlays will be required to begin construction on these new institutions within the next few years.

I recommend that there be placed in the Capital Outlay and Savings Fund as a partial financing of these outlays the State's share of the impounded oil royalty funds amounting to approximately \$35,000,000 which would otherwise be paid into the General Fund, if and when title to these funds is recovered by the State.

The proposed program still leaves untouched the very serious shortage of office space at the State Capital and in the principal cities where branch offices are maintained. The present overcrowded condition of many departments is a handicap to efficient operation, and it is poor business to be spending the millions now required for rented quarters. I trust that a means of financing at least a major part of the required office building needs can be developed at this session.

### LOCAL ASSISTANCE

Excluding capital outlay items, two-thirds of the State's normal, day-to-day expenditure program for 1953-54 is represented in the \$744,069,000 earmarked for assistance to local governments. The outstanding feature of these payments is their fixed nature. More than nine out of each \$10 in local assistance is fixed by provisions of the Constitution or statutes; less than one dollar is subject to control in preparation of the budget. These fixed, continuing appropriations, which for the most part are computed by specified formulas, will increase \$100,647,000 during the budget year as compared with 1952-53. This change is partially offset by a decline in controllable costs resulting chiefly from the nonrecurrence of the \$20,000,000 appropriation for building loans to distressed school districts. Consequently, the net increase in appropriation requirements for local assistance is \$88,009,000.

Three basic factors account for this multimillion-dollar increase: (1) the recent constitutional amendment which raised by nearly one-fourth the State's contribution for each pupil in the Public School System, (2) the rapid growth in school population,

and (3) a continued rise in receipts from motor vehicle taxes which are shared with city and county governments. Appropriations for local school purposes during 1953-54 are estimated at \$406,958,000, an increase of \$7,150,000 from the current year. Shared revenues from liquor licenses, motor vehicle fees and fuel taxes going to cities and counties will total nearly \$162,000,000, a gain of \$10,850,000.

It is encouraging to report a decided leveling off in costs in the programs for aid to the aged, the blind, and to needy children. There will be a reduction of more than \$750,000 in state costs of aid to needy children and only relatively small increases in the amounts for aged and blind. The greater opportunity in today's labor market for employment, improvement in administration, and heavier payments under the recent amendments to the Federal Social Security Act are the reasons for this improved situation.

This State has so far failed to avail itself fully of the advantages of the Federal Social Security Act amendments in delaying its participation in the program for aid to the needy permanently disabled. I again recommend that we amend our welfare laws so as to bring the totally and permanently disabled under a program similar to that for the aged. Certainly no group of needy persons merits consideration more than those with complete and permanent disabilities. They are less able to care for themselves than most others whose needs have been recognized for years. Most of them now receive some assistance through county general relief, but their needs could be much more adequately met through this program of joint federal, state and local aid.

You will remember I recommended the establishment of such a program in 1951 soon after this category was included by Congress in the Federal Social Security Act. In the meantime 38 states and territories have adopted programs and we have had an opportunity to study the experience of such states as New York, Pennsylvania, Ohio, Massachusetts, Illinois and New Jersey. Experience in these states has demonstrated that the cost estimates which I presented to you at the last regular session were substantially accurate in contrast to the extravagant estimates given you by the opponents. The adoption of this addition to our social welfare program will make available to us about 5½ million dollars in federal grants in the budget year, and will permit the counties to make a saving of one and one-half million per year in their present outlays for general relief. I have accordingly included in the figures presented to you in this message on the General Fund finances an estimate of \$5,500,000 as the cost of this program for the initial year, 1953-54, and \$44,700,000 for the full fiscal year 1954-55, when it would be on a going basis. While technically this is a new state expenditure program, the State's obligation to this very needy and deserving group of its citizens is not new, and California has already delayed too long in meeting this obligation, particularly since the Federal Government has made funds available to share the costs and has recently given substantial relief to this State through its heavier sharing of aid to the aged, by its increased grants for old age and survivors insurance.

### A BALANCED BUDGET

Because of the factors mentioned, I have regretfully concluded after a thorough review of needs, that we cannot reach a sound solution of the financial problem confronting us, in any large measure, by reducing appropriations. I know that the people of the State would not agree to a reduction of state responsibilities and services in any such magnitude. The easy way, then, would be for me to submit to the remission of piecing out our revenues by using some of the reserve funds to balance the budget this year, leaving the future to take care of itself. I dislike increasing the tax load on the people of California as much as anyone. During the 10 years I have been Governor we have had general tax reductions rather than increases. This would not be an honest budget, however, if I did not lay the full problem before the Legislature and the public and point out the consequences of adopting a policy of expediency and temporizing at this time. Some will say that we have overestimated the financial problems of the future, that we underestimated revenues in the past, that future receipts will again exceed our forecasts, and that we should not cross the bridge of a big deficit until we come to it. It would be poor counsel, in my judgment, either to overestimate future income or underestimate future governmental expense. This would be gambling too heavily with the State's future and would be putting all our eggs in the basket of inflation. If we cannot finance ourselves on a pay-as-you-go basis without using up essential reserves while we are at the peak of prosperity and employment, when can we do it? We have not gambled in estimating revenues and I make no apology for that. If we had gambled, we would be in real trouble this year. Certainly, duty should impel us always to be conservative in fixing our spending limits. Should we ever fail in that regard, our State will be in great jeopardy.

The state spending program which we jointly developed could, in all probability, have been maintained and financed within our existing tax laws, but the heavy increase in state school support adopted by the voters in passing Initiative Measure No. 2 will add more than the State's present tax system can carry. I do not quarrel with the voters in their decision to increase school financing, because I share their desire for a good school system. I merely say that it will be necessary to raise revenues to

pay for it. Accordingly, if the Legislature determines, as I believe it should, to continue State Government on a pay-as-you-go basis it will be necessary to have more revenue and, in my opinion, the least objectionable revenue measures it could adopt to accomplish that result would be a new cigarette tax and increased levies on liquor and horse racing. Most states have had cigarette taxes for a good many years. California is one of the seven which so far has not used this form of tax. California's tax rate on distilled spirits is one of the lowest in the Nation at the present rate of 80 cents a gallon. The national average of such state taxes is \$1.60 a gallon. I have, for some time, felt that an adjustment should be made in the license tax on pari-mutuel betting on horse racing to place a heavier levy on the highest brackets of wagering receipts which bring the largest track operators excess profits beyond reasonable returns.

Following are the calculations of yields which can be derived from such measures:

	<i>Estimated yields</i>	
	<i>1953-54</i>	<i>full year 1954-55</i>
Cigarette tax		
At rate of 2 cents per package-----	\$26,500,000	\$30,200,000
Liquor excise tax		
Increase tax on distilled spirits from 80 cents per gallon to \$1.50 per gallon-----	12,500,000	13,600,000
Additional 2 cents per gallon on beer-----	3,600,000	4,000,000
Additional license fees on horse racing		
Excess profits-----	1,000,000	2,000,000

A combination of these levies can be enacted at this session in such way as to produce sufficient revenues to meet the deficiency for 1953-54 with a margin of safety and to make a substantial start in meeting the much greater deficiency in the year to follow.

In conclusion and by way of summary, I repeat what has been stated in other parts of this message. First, that the current budget will be in balance at the end of the present fiscal year. We will have, in addition, a surplus of \$66,000,000, but due largely to the passage of Proposition 2, at a cost of \$67,000,000, this proposed budget will be out of balance next year unless we obtain additional revenue. Second, it would be possible to supply this deficit by raiding one or more of our funds reserved for vital purposes. This would appear to be the easiest method, but it would, in my opinion, be unwise from at least two viewpoints: (1) the practice thus established would be used as a precedent for continued raiding until these necessary reserves would be exhausted, and (2) because it would eventually leave our State on the ragged edge of insolvency. I recommend against such action. The only other way of providing funds after we have reduced spending to a minimum, as we have done in this budget, is by increasing taxes in some form. I dislike raising the tax load of the people. I have never done it. We have always lived within our means and have reduced taxes whenever possible, but if we must increase taxes, I believe the best way to do it is by imposing levies on liquor, cigarettes, and horse racing comparable to the average state levies throughout the Nation. This can be accomplished by the schedule above set out, and I so recommend to you.

While I present these measures as the least objectionable means of raising the necessary funds, I realize that it is the prerogative of the Legislature to determine the tax structure of our State and I will welcome any alternative plan which would maintain an equitable revenue system and keep the State Government in a sound financial condition.

Respectfully submitted,

EARL WARREN, Governor

January 12, 1953

Message read, and ordered printed in the Journal, and budget filed with the Secretary of the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 12, 1953

MR. PRESIDENT: The Committee on Rules has appointed the following Senators chairmen, vice chairmen, and members of the various standing committees of the Senate.

POWERS, Chairman

**Agriculture (13)**

Weybret (Chairman)	Hulse
Byrne (Vice Chairman)	Ed. C. Johnson
Abshire	Murdy
Desmond	Sutton
Donnelly	Thompson
Hatfield	Williams
Hoffman	

**Business and Professions (9)**

Desmond (Chairman)	McCarthy
Kraft (Vice Chairman)	Miller
Breed	O'Gara
Burns	Thompson
Gibson	

**Education (11)**

Donnelly (Chairman)	Dorsey
Miller (Vice Chairman)	Grunsky
Busch	Harold T. Johnson
Byrne	Tenney
Coombs	Way
Dilworth	

**Elections (7)**

Dilworth (Chairman)	Collier
Miller (Vice Chairman)	Coombs
Abshire	Donnelly
Byrne	

**Finance (11)**

Hulse (Chairman)	Mayo
Brown (Vice Chairman)	McBride
Breed	Parkman
Collier	Weybret
Dilworth	Williams
Hatfield	

**Financial Institutions (9)**

McBride (Chairman)	Miller
Grunsky (Vice Chairman)	O'Gara
Byrne	Parkman
Coombs	Sutton
Kraft	

**Fish and Game (11)**

Mayo (Chairman)	Hoffman
Ed. C. Johnson (Vice Chairman)	Harold T. Johnson
Berry	Sutton
Brown	Way
Busch	Williams
Erhart	

**Governmental Efficiency (11)**

Parkman (Chairman)	Desmond
Powers (Vice Chairman)	Mayo
Brown	McBride
Burns	Regan
Busch	Ward
Collier	



**Institutions (9)**

Coombs (Chairman)	Hoffman
Thompson (Vice Chairman)	Kraft
Berry	McCarthy
Byrne	Montgomery
Erhart	

**Judiciary (11)**

Tenney (Chairman)	Desmond
Regan (Vice Chairman)	Grunsky
Busch	O'Gara
Coombs	Ward
Cunningham	Way
Dorsey	

**Labor (7)**

Abshire (Chairman)	Tenney
Montgomery (Vice Chairman)	Weybret
Harold T. Johnson	Williams
Murdy	

**Legislative Representation (5) (Elected by Senate)**

McBride (Chairman)	Desmond
Abshire (Vice Chairman)	Weybret
Busch	

**Local Government (9)**

Harold T. Johnson (Chairman)	Grunsky
Erhart (Vice Chairman)	McCarthy
Cunningham	Montgomery
Dorsey	Regan
Gibson	

**Military and Veterans Affairs (11)**

Sutton (Chairman)	Dorsey
Hoffman (Vice Chairman)	Erhart
Berry	McCarthy
Busch	O'Gara
Cunningham	Tenney
Dilworth	

**Natural Resources (11)**

Busch (Chairman)	Ed. C. Johnson
Berry (Vice Chairman)	Harold T. Johnson
Brown	Mayo
Byrne	McBride
Erhart	Miller
Grunsky	

**Public Health and Safety (9)**

Kraft (Chairman)	Miller
Way (Vice Chairman)	Montgomery
Berry	Murdy
Breed	Thompson
Ed. C. Johnson	

**Public Utilities (7)**

O'Gara (Chairman)	Parkman
Cunningham (Vice Chairman)	Thompson
Gibson	Way
Murdy	

**Revenue and Taxation (11)**

Breed (Chairman)	Kraft
Burns (Vice Chairman)	McBride
Collier	Parkman
Dorsey	Tenney
Gibson	Ward
Hulse	

**Rules (5) (Elected by Senate)**

Powers (Chairman)	Burns
Hatfield (Vice Chairman)	Ward
Brown	

**Social Welfare (9)**

Dorsey (Chairman)	Hoffman
Murdy (Vice Chairman)	Montgomery
Abshire	Sutton
Desmond	Weybret
Erhart	

**Transportation (13)**

Collier (Chairman)	Hulse
McCarthy (Vice Chairman)	Mayo
Breed	O'Gara
Burns	Powers
Dilworth	Regan
Donnelly	Ward
Hatfield	

**Water Resources (11)**

Williams (Chairman)	Hoffman
Gibson (Vice Chairman)	Hulse
Abshire	Ed. C. Johnson
Cunningham	Regan
Donnelly	Thompson
Hatfield	

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 12, 1953

MR. PRESIDENT: The Committee on Rules submits herewith the Weekly Committee Schedule for the Standing Committees of the Senate.

POWERS, Chairman

**WEEKLY COMMITTEE SCHEDULE****MONDAY**

<i>Time</i>	<i>Committee</i>	<i>Committee Room Number</i>	<i>Room</i>
10.00 a.m. -----	Water Resources -----	3	3191
10.00 a.m. -----	Financial Institutions -----	2	2040
10.00 a.m. -----	Judiciary -----	7	4203
On Adjournment -----	Elections -----	4	4040
8.00 p.m. -----	Social Welfare -----	2	2040
8.00 p.m. -----	Public Utilities -----	4	4040

**TUESDAY**

9.00 a.m. -----	Transportation -----	1	4203
9.00 a.m. -----	Natural Resources -----	2	2040
11.00 a.m. -----	Legislative Representation -----	3	3191
8.00 p.m. -----	Education -----	3	3191
8.00 p.m. -----	Governmental Efficiency -----	1	4203

## WEDNESDAY

<i>Time</i>	<i>Committee</i>	<i>Committee room number</i>	<i>Room</i>
9.00 a.m. -----	Finance -----	1 -----	4203
9.00 a.m. -----	Public Health and Safety -----	2 -----	2040
9.30 a.m. -----	Local Government -----	4 -----	4040
8.00 p.m. -----	Fish and Game -----	4 -----	4040
8.00 p.m. -----	Business and Professions -----	1 -----	4203

## THURSDAY

9.00 a.m. -----	Governmental Efficiency -----	1 -----	4203
9.00 a.m. -----	Labor -----	3 -----	3191
8.00 p.m. -----	Agriculture -----	1 -----	4203

## FRIDAY

9.00 a.m. -----	Revenue and Taxation -----	3 -----	3191
9.30 a.m. -----	Institutions -----	4 -----	4040
On Adjournment -----	Military and Veterans Affairs -----	2 -----	2040

Committee on Rules—on call of the chairman.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 68

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above resolution ordered enrolled.

## RESOLUTIONS

The following resolution was offered:

By Senator Regan:

## Senate Resolution No. 23

Relative to congratulating the Shasta College Basketball Team upon its victory in the Hartnell Small College Basketball Tournament

WHEREAS, On December 17, 1952, at Salinas, California, a small band of valiant warriors representing Shasta College, went forth to do battle with the basketball teams of the colleges participating in the Hartnell Small College Basketball Tournament, and at the end of four days emerged triumphant, winning victory after victory over their opponents; and

WHEREAS, Shasta College opened its doors but a few short years ago, in 1950; and

WHEREAS, Not only is the Hartnell Small College Basketball Tournament the first major sporting event which Shasta College has won, but also it represents the first major sport in which Shasta College has engaged; and

WHEREAS, By their impressive victory in winning the tournament, the Shasta College Basketball Team brought honor and distinction upon themselves and their college and great pride and pleasure to their many friends and adherents; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate of the State of California hereby commends the members of the Shasta College Basketball Team, their coach and their manager, for the brilliant performance of the Shasta College Basketball Team in winning the Hartnell Small College Basketball Tournament; and be it further

*Resolved*, That the Members of the Senate extend heartiest congratulations to Charles Hawes, Paul Williams, Ken Moller, Ken Fraga, Gerald Risberg, Dean

Braucher, Duane Carlson, Robert Brinkerhoff and Alan Wilson, all members of the team, to Coach Bill Rhyne, and to Manager Maurice Seeliger; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to each member of the Shasta College Basketball Team, to the coach, to the manager, and to G. A. Collyer, President of Shasta College.

Resolution read, and adopted on a motion of Senator Regan.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senator Burns Presiding**

At 2.25 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 56**

Senator Way moved that Senate Bill No. 56 be withdrawn from Committee on Education for purpose of consideration.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 56**—An act to add Section 5050.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### **MOTION TO RE-REFER SENATE BILL NO. 56**

Senator Way moved that Senate Bill No. 56 be re-referred to Committee on Education.

Motion carried.

#### **MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 4	Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 5	Assembly Concurrent Resolution No. 6

ARTHUR A. OIINIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

#### **FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 4**—Relative to the selection of the Legislative Counsel of California.

#### **Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, for consideration.

#### **CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4**

**Assembly Concurrent Resolution No. 4**—Relative to the selection of the Legislative Counsel of California.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.  
NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 6**—Relative to the elevation of Archbishop J. Francis A. McIntyre to the Sacred College of Cardinals of the Roman Catholic Church.

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

**Assembly Concurrent Resolution No. 6**—Relative to the elevation of Archbishop J. Francis A. McIntyre to the Sacred College of Cardinals of the Roman Catholic Church.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cowley, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, and Ward—32.  
NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 5**—Relative to the election of Adolfo Ruiz Cortines as President of Mexico.

#### Request for Unanimous Consent

Senators Hatfield and Powers asked for, and were granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

**Assembly Concurrent Resolution No. 5**—Relative to the election of Adolfo Ruiz Cortines as President of Mexico.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—33.  
NOES—None.

Resolution ordered transmitted to the Assembly.

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 11**—Relative to the death of Roy Fellow.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11**

**Assembly Concurrent Resolution No. 11**—Relative to the death of Roy Fellow.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, and Way—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 12, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 8

Assembly Concurrent Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 7**—Relative to the death of E. Walton Hedges, former Member of the Assembly.

**Request for Unanimous Consent**

Senator Grunsky asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7**

**Assembly Concurrent Resolution No. 7**—Relative to the death of E. Walton Hedges, former Member of the Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were read :

**Assembly Concurrent Resolution No. 8**—Approving the charter of the City of Riverside, County of Riverside, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the sixteenth day of September, 1952.

Resolution ordered placed on file.

**Assembly Concurrent Resolution No. 12**—Relative to the death of Patrick J. McMurray.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12**

**Assembly Concurrent Resolution No. 12**—Relative to the death of Patrick J. McMurray.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Mayo, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1953

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed :

Assembly Bill No. 12

Assembly Bill No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1953

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day adopted :

Assembly Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time :

**Assembly Bill No. 12**—An act to Repeal Section 7000.3 of, and to add Section 7000.3 to, the Education Code, relating to the support of the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 47**—An act to amend Section 7431.1 of the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Joint Resolution No. 4**—Relative to requesting the Fish and Wildlife Service of the United States Department of the Interior to establish a special season for the taking of migratory game birds.

Referred to Committee on Fish and Game.

#### MOTION TO APPROVE JOURNAL

Senator Powers moved that the Journals of Monday, January 5, 1953; Tuesday, January 6, 1953; Wednesday, January 7, 1953; Thursday, January 8, 1953; and Friday, January 9, 1953, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

#### COMMUNICATIONS

The following communications were received and read, and on motion of Senator Hoffman, ordered printed in the Journal:

STOCKTON, CALIFORNIA, January 5, 1953

*Senator Verne W. Hoffman*  
State Capitol  
Sacramento, California

DEAR SENATOR HOFFMAN: I am enclosing a short history of Jedediah Strong Smith, who is one of the most remarkable characters in the extremely early history of California. This history may be of considerable interest to members of the Legislature.

Sincerely yours,

ROBERT E. BURNS, President  
College of the Pacific

#### JEDEDIAH STRONG SMITH

One of the earliest and most remarkable explorers of the West remains today a relatively obscure figure of history. The explorations of Jedediah Strong Smith were of the greatest significance to America's westward expansion.

In the early eighteen twenties very little was known by the American people of the Great American Desert and what lay farther west. Lewis and Clark had explored the Missouri River from St. Louis to its head waters, and continued thence over the Bitter Root Mountain range and down the Columbia River to the sea. They had submitted an exhaustive report to the President of the United States on their investigation of the northern route across the country, but no American exploration had ever been undertaken to acquaint the people of the United States with what lay to the south and west of the Missouri and Columbia Rivers.

That great territory, now embracing approximately one-fourth of the United States, was a land of mystery—unexplored and unknown. The government at Washington knew so little about this area that the Sacramento River in California, which actually flows south, was shown on the fragmentary maps as a "Buenaventura River" flowing westward, from the vicinity of what we now call the Great Salt Lake, to San Francisco Bay. Even the actual existence of the Sierra Nevada Mountains was not known to government authorities at Washington, and no concerted effort had as yet been made to scout out the country and to fully acquaint the people with the geography of that vast region.

In the little village of Jericho, New York, in 1799, was born the boy who was destined ultimately to play a conspicuous part in charting the way for American entry into California and the Pacific Southwest. Jedediah Smith was peculiarly equipped, physically and mentally, to assume leadership in mapping the great expanse of territory west of American civilization, and to submit the result of his exploration to the proper authorities interested in what was afterwards to be called the "Manifest Destiny of the United States" in the far West.

Jedediah Smith at the age of 24 joined the famous Ashley Fur Trading exploration headed for the upper reaches of the Missouri River. Several years later he became an independent trapper and began a career of exploration in the West which was to characterize him as the pathfinder extraordinary. He became a leading mountain man, heading a group of hardy commandos of the westward movement in America.



Smith was discoverer of the central route from the Rocky Mountains into California. That same route was used by trappers, home seekers and the forty-niners. A great transcontinental railroad now follows the course marked out by Smith, and his foot-prints became the trail used by others on the great western trek.

Smith also was first to negotiate the South Pass through the Rocky Mountains, by far the most feasible crossing of the Continental Divide. He was the first white man to traverse Utah from east to west and from north to south, and was known as one of the first conquerors of the of the American Desert. He became the first American to cross the Sierra Nevada into California, and was the first to explore the Pacific hinterland from the Mexican border to the banks of the Columbia. He was the man after whom the American River in California was named by the Indians, and he explored every part of that territory. Smith River in Del Norte County also bears his name. This is the only known instance in America of two rivers named for the same man. He returned east where he was able to give the government an accurate report on all parts of California and of his discoveries in the West. He had truly "spied out the land." He was soon known as the greatest of all trail blazers.

Smith rode across the Sierra Nevada with the Bible in one hand and a rifle in the other, and he therefore became affectionately known as the "Bible Toter." He was a man of strong, outstanding moral and religious convictions. He was highly respected and beloved by his rough companions whose daily lives were filled with hardship and danger. Smith's explorations unquestionably greatly hastened the American settlement of California and materially advanced the movement which was ultimately to result in California becoming the thirty-first state of the Union.

Jedediah Strong Smith deserves a place in the national tradition equal to any other American explorer, and California owes a lasting debt of gratitude to that sturdy, courageous, God-fearing Christian pathfinder.

Above history of Jedediah Smith ordered printed in the Journal.

Submitted by Senator Hoffman:

#### JOINT STATEMENT

To the Honorable Earl Warren, Governor of the State of California, by the California Department Commanders of the American Legion, Veterans of Foreign Wars, Disabled American Veterans and Amvets—December 22, 1952.

We greatly appreciate being given this opportunity to meet with you for the purpose of pointing out a most serious situation existing in California relative to the lack of sufficient and proper hospital and medical care for sick and disabled veterans.

You, as Governor of our State, the State Legislature, and the State Department of Veterans Affairs have been aware of this shortage of hospital beds for veterans in our State for a number of years, and have been most helpful in the past by using your best efforts toward influencing both the Executive and Legislative Branches of the Federal Government for additional hospital and medical facilities for veterans in California.

Knowing of your sympathetic understanding and interest, we have joined together, as the heads of the four major veteran organizations; namely, the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and the Amvets, to further acquaint you with the continued curtailment of hospital beds and other medical care programs for veterans. This curtailment or reduction is brought about by the United States Congress' failure to appropriate sufficient funds to maintain Veterans Administration hospital and medical services at present maximum capacity. It is agreed by all experts in the field of veterans' affairs, that the Veterans Administration Hospital and Medical Services should be expanded in order to properly care for the present and ever increasing load.

We know that you will be interested in some facts and figures, not only because they show the need for increased hospital and medical services for veterans, but because of the extra burden on the taxpayers of the State of California.

It is an old story with you and with us that the Veterans Administration will not recognize by several hundred thousand, the veteran population of California. We do not believe, however, that we have any difficulty in convincing our representatives in the United States Congress that our State's veteran population is considerably higher than that estimated by the Veterans Administration.

It is a well known fact that many hundreds of thousands of veterans have been migrating to California from every other state in the Union since the close of World War I. It is not, however, such a well known fact that an unusually large percentage of these veterans are disabled. Veterans Administration records will show that California has a higher percentage of veterans drawing compensation or pension than any other state in the Union.

- a. Of the nation's 20,000,000 veteran population, it is reliably estimated that California has approximately 1,750,000 or approximately nine percent.
- b. Of the Nation's 80,000 100 percent service-connected totally and permanently disabled World War II veterans, California has 10,400, or 13 percent.

- c. California has the highest number—38,500 service-connected World War I veterans; New York is second with 32,250.  
 d. California has the highest number—5,750 service-connected veterans from the regular establishment (peace-time veterans); New York is second with 2,500.  
 e. California has the highest number—13,500 Spanish-American War veterans drawing compensation or pension; New York is second with 8,000.

While there continues to be a curtailment in the number of hospital beds for veterans in California, the number of applications for hospitalization continues to show a steady increase.

The number of veteran case folders transferred into California Veterans Administration offices as compared with those transferred out, shows that approximately 1,200 veterans per month among this group have taken permanent residence in California.

It is clearly indicated therefore, from actual facts and figures that regardless of the Veterans Administration's estimate of our State's veteran population, that California must have a higher ratio of hospital beds per veteran population than any state in the Union because of the higher percentage of disabilities.

Veterans Administration hospital and domiciliary beds in California are not for the exclusive use of California veterans. Many of these beds are occupied by out-of-state veterans, for various reasons, such as follows:

- The Veterans Administration Tumor Clinic for the western part of the United States, is in Los Angeles. (Wadsworth General Hospital, Veterans Administration Center.)
- Their Paraplegic Center for the western part of the United States is at Long Beach.
- Their neuropsychiatric patients from Arizona, Nevada and other western states, for the most part are hospitalized in California.
- Their Diagnostic Center for the western part of the United States is in San Francisco. (Fort Miley.)
- The rather high percentage of domiciliary members at their Domiciliary Home at Los Angeles are out-of-state veterans.

The curtailment of hospital beds for veterans in California began in June 1949 with the cancellation of 100 contract beds for veterans at the Army's McCormack General Hospital at Pasadena, and has continued ever since.

As of June 1949, hospital beds in operation for veterans in California were as follows:

<i>Veterans Administration hospitals</i>		<i>Veterans Administration contract beds with service hospitals</i>	
Livermore—TB	458	Mare Island Navy	150
Palo Alto—NP	1,464	Oak Knoll Navy	400
Oakland—GM&S	624	Letterman General Army	175
Fort Miley, S. F.—GM&S	374	McCormack General Army	100
San Fernando—TB	365	Corona Navy	225
Los Angeles Center		Long Beach Navy	400
Brentwood—NP	2,062	San Diego Navy	200
Wadsworth—GM&S	1,401		
Domiciliary	3,388	Total	1,650
Van Nuys—GM&S and TB	1,609		
Total	11,745	GRAND TOTAL	13,395

As of December 15, 1952, hospital beds in operation for veterans in California are as follows:

<i>Veterans Administration Hospitals</i>		<i>Veterans Administration Beds With Service Hospitals</i>	
Livermore—TB	602	Oak Knoll Navy—GM&S	75
Palo Alto—NP	1,403	San Diego Navy—GM&S	100
Oakland—GM&S	712		
Ft. Miley, S. F.—GM&S	440	Total	175
Fresno—GM&S	227		
San Fernando—TB	506		
Los Angeles Center			
Brentwood—NP	2,050		
Wadsworth—GM&S	1,310		
Domiciliary	2,370		
Long Beach—GM&S and TB	1,600		
Total	11,220	GRAND TOTAL	11,395

For a quick glance:  
*Total Number of Operating Available  
 Beds as of June, 1949*  
 13,395

*Total Number of Operating Available  
 Beds as of December 15, 1952*  
 11,395

This is a 2,000-bed net reduction. According to Veterans Administration records of patient turn-over, it is reliably estimated that 3,000 veterans per month are being denied hospitalization because of this cut-back.

On December 17, 1943, the Veterans Administration, the Federal Board of Hospitalization, the Federal Bureau of the Budget, the Congress, and the White House approved for construction 119 additional beds for their Livermore Tuberculosis Hospital. This was completed in 1951.

On September 12, 1944, they approved for the construction of a 250-bed general medical and surgical hospital for Fresno. It was completed in March, 1950.

On October 16, 1945, they approved 130 additional beds for their San Fernando Tuberculosis Hospital. This was completed in 1951.

On October 19, 1946, they approved for construction, two new 1,000 bed neuropsychiatric hospitals for California, one for the San Francisco area and one for the Los Angeles area, and a 200-bed general medical and surgical hospital at San Diego. Since that time sites have been obtained; Ft. Funston for the San Francisco area and Sepulveda, San Fernando Valley, for the Los Angeles area. Some \$400,000 has been spent on excavating and providing a fence for the Ft. Funston site. The Eighty-second Congress withdrew or failed to appropriate funds to construct the hospital proposed for San Francisco. The same Congress appropriated the funds to construct the hospital for the Los Angeles area. The contract has been let, construction is under way and it is estimated by the Veterans Administration that the construction will be completed in 1954.

The site was obtained, bids were called for and the low bidder announced for the construction of the hospital at San Diego. Then very suddenly in January, 1949, the President, by executive order, canceled the construction of this hospital at the time he canceled 16,000 beds from the Veterans Administration's construction program, even though they had previously been approved by all interested branches of the Federal Government.

Our California Congressmen were, without exception, well aware of the need for the two 1000-bed Neuropsychiatric Veterans Administration Hospitals for California. However, the Independent Offices Appropriations Bill H.R. 7072, was recommittees and funds were appropriated to construct the hospital in the Los Angeles area, but no funds were appropriated for the San Francisco area hospital.

The Federal Bureau of the Budget, after cutting the Veterans Administration's estimate by many millions of dollars had approved and sent to the 82nd Congress, a recommendation for \$700,940,000 for Veterans Administration Administrative, Medical, Hospital and Domiciliary Services. The Congress reduced this amount by \$31,123,648. This caused among other things:

1. Cut-back in the number of operating beds, due to the reduction in personnel.
2. Has reduced the number of consultant and attending physicians which are so vital for the highest type of medical and hospital care.
3. Curtailed the amount of funds for out patient treatment for both medical and dental, service-connected cases causing a huge increase to the already back log of those awaiting out-patient treatment, especially for dental disabilities.
4. Cut out approximately 50% of the medical research program which was proving, without a doubt, to be a great service to the entire medical profession in the world.
5. Caused a shortage of medical supply. Patients cannot be properly cared for without adequate medicine being available.
6. Cut considerably the contractual service; that is, contracts with private practicing physicians and contracts for beds with other Federal, State, County or private institutions.

These cuts have had a tendency to break down the morale of many of the outstanding medical men in the Veterans Administration Department of Medicine and Surgery. They are not allowed to continue to furnish to the veteran patient the high type of medical service they deserve, because of these cuts. They are not assured of steady employment. Those living in quarters on Veterans Administration stations have had their subsistence or rent increased considerably because of these cuts. The excuse given was to bring their rents up to what was being charged for similar quarters in the community. This increase affects all personnel living on the station, including the attendants. They do not, however, agree to pay their doctors the average income of the doctors in the same community who are in private practice.

We request your further assistance in helping to have the State Legislature memorialize the 83rd Congress to act favorably on a deficiency appropriation to restore the \$31,123,648, cut from the Administrative, Medical, Hospital and Domiciliary Services, and to appropriate the necessary funds to construct the 1,000-bed Neuropsychiatric Hospital approved for San Francisco and the 200-bed General, Medical and Surgical Hospital for San Diego.

One other very serious matter is the shortage of the necessary funds for proper repairs and rehabilitation of Veterans Administration hospitals in California. The Oakland Veterans Administration Hospital has been allowed to deteriorate to where it is a very dangerous hazard. It needs complete remodeling or abolishment. The Palo Alto Hospital is badly in need of much repair. The Wadsworth Hospital at the



Veterans Administration Center in Los Angeles is in such bad shape that the only answer is a new pathological wing, together with much other repair and alterations.

Another important reason for making this request of you is that this matter does not limit its hardships to veterans alone. Because of the shortage of Veterans Administration hospital and medical facilities in California, our California citizens are carrying an extra tax load to care for veterans in State and County hospitals when they should be the responsibility of all the tax payers in the Nation.

You are no doubt familiar with the figures from the State Department of Mental Hygiene, that 4,600 veterans are hospitalized in state mental institutions. For the most part the California tax payers are paying for their care even though approximately 40 percent of them came to California from every other state in the Union. You are well aware of the cost to California tax payers for this care.

Every county hospital in our State is feeling the increased load of veteran patients because of the shortage and continued curtailment of necessary Veterans Administration facilities. A state-wide survey shows the approximate average cost for this care to be \$10.00 per diem, another added and growing cost to California tax payers.

We sincerely solicit your aid and assistance to further acquaint our representatives in Congress and to further educate the general public in California of these conditions, with the ultimate goal that they will be corrected.

WILLIAM A. WHITE, Commander  
The American Legion, Dept. of California  
WALTER KEIL, Commander  
Veterans of Foreign Wars,  
Department of California  
E. L. JOHNSON, Commander  
Disabled American Veterans,  
Department of California  
EDWARD A. MIRATTI, Commander  
AMVETS, Department of California

Above statement ordered printed in the Journal.

Secretary J. A. Beek at the Desk

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 12, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

##### Request for Unanimous Consent

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

**Senate Concurrent Resolution No. 5**—Relative to the continuance of joint committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.



**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 12, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 12

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted at amended.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, for consideration of the committee amendments.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12**

**Senate Concurrent Resolution No. 12**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On page 1 of the printed measure, strike out line 2, and in line 3, strike out "five thousand dollars (\$225,000)", and insert "bly thereof concurring. That in addition to any money heretofore made available to it, the sum of one hundred seventy-five thousand dollars (\$175,000)".

Amendment read, and adopted.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12,  
AS AMENDED**

**Senate Concurrent Resolution No. 12**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, and Ward—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 326:** By Senator Dilworth—An act to amend Section 9 of the Riverside Flood Control and Water Conservation District Act

(Chapter 1122 of the Statutes of 1945) relating to the powers of the Riverside County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 327:** By Senator Busch—An act to amend Section 460 of the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 328:** By Senator Powers—An act to amend Section 20751 of the Government Code, relating to the State Employees' Retirement System in respect to state contributions, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 329:** By Senator Powers—An act to amend Section 13390 of the Government Code, relating to purchases by state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 330:** By Senator Powers—An act to add Section 9130.5 to the Government Code, relating to claims against the contingent funds of the Assembly and Senate.

Referred to Committee on Rules.

**Senate Bill No. 331:** By Senator Dorsey—An act to amend Section 25001 of the Government Code, relating to boundaries of supervisorial districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 332:** By Senator Ed. C. Johnson—An act to amend Section 79.51 of the Code of Civil Procedure, relating to the salary of the judge of the Superior Court in and for Sutter County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 333:** By Senator Ed. C. Johnson—An act to amend Section 79.58 of the Code of Civil Procedure, relating to the salary of the judge of the Superior Court in and for Yuba County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 334:** By Senator Ed. C. Johnson—An act to amend Section 28138 of the Government Code and Section 438 of the Education Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Education.

**Senate Bill No. 335:** By Senator Ed. C. Johnson—An act to amend Section 28137 of the Government Code, and Section 437 of the Education Code, relating to compensation for public services in counties of the thirty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 336:** By Senator Ed. C. Johnson—An act to amend Section 438 of the Education Code, relating to the compensation of county superintendent of schools.

Referred to Committee on Local Government.

**Senate Bill No. 337:** By Senator Mayo—An act to amend Section 454 of the Education Code, relating to the compensation of county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 338:** By Senator Mayo—An act to amend Section 446 of the Education Code, relating to the compensation of the county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 339:** By Senator Mayo—An act to amend Section 450 of the Education Code, relating to the compensation of county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 340:** By Senators Hoffman, Thompson, Cunningham, and Powers—An act to amend Section 14256 of the Government Code, relating to state public works projects.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 341:** By Senator Powers—An act to amend Section 79.32 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 342:** By Senator Powers—An act to amend Section 79.18 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 343:** By Senator Powers—An act to amend Section 79.25 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 344:** By Senator Powers—An act to amend Section 397 of the Penal Code, relating to the selling or furnishing of intoxicating liquors.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 345:** By Senators Gibson and Miller—An act relating to the construction of a toll bridge or other toll highway crossing across Carquinez Straits parallel to the Carquinez Bridge near Crockett by the Department of Public Works, and the necessary modification and improvement of the existing bridge for use in connection therewith, and to the issuance of revenue bonds by the California Toll Bridge Authority for such purposes.

Referred to Committee on Transportation.

**Senate Bill No. 346:** By Senator Dilworth—An act to appropriate funds for the construction of National Guard armories and appropriating the necessary funds from the Capital Outlay and Savings Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 347:** By Senator Dilworth—An act to add Sections 2154, 2203.5, 2304.5, and 2420.1 to, and to amend Sections 3871, 3873, 3875, and 3880 of, the Elections Code, relating to delegates to national conventions of political parties.

Referred to Committee on Elections.

**Senate Bill No. 348:** By Senator Desmond—An act to amend Section 60730 of the Government Code, relating to funds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 349:** By Senator Desmond—An act to add Section 60670 to the Government Code, relating to bonds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 350:** By Senator Desmond—An act to amend Section 60683 of the Government Code, relating to bonds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 351:** By Senator Desmond—An act to amend Section 60673 of the Government Code, relating to bonds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 352:** By Senator Desmond—An act to add Section 60671.2 to the Government Code, relating to bonds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 353:** By Senator Desmond—An act to amend Section 60621 of the Government Code, relating to community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 354:** By Senator Desmond—An act to amend Section 60613 of, and to add Section 60613.1 to, the Government Code, relating to bonds of community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 355:** By Senator Desmond—An act to add Section 60108 to, and to amend Sections 60227, 60656, and 60757 of, the Government Code, relating to community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 356:** By Senator Desmond—An act to amend Section 60012 of the Government Code, relating to community service districts.

Referred to Committee on Local Government.



**Senate Bill No. 357:** By Senator Desmond—An act to amend Section 60672 of the Government Code, relating to bonds of community service districts.

Referred to Committee on Local Government.

**Senate Bill No. 358:** By Senator Dilworth—An act to add Section 2.1 to the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), relating to the boundaries of the Palo Verde Irrigation District.

Referred to Committee on Water Resources.

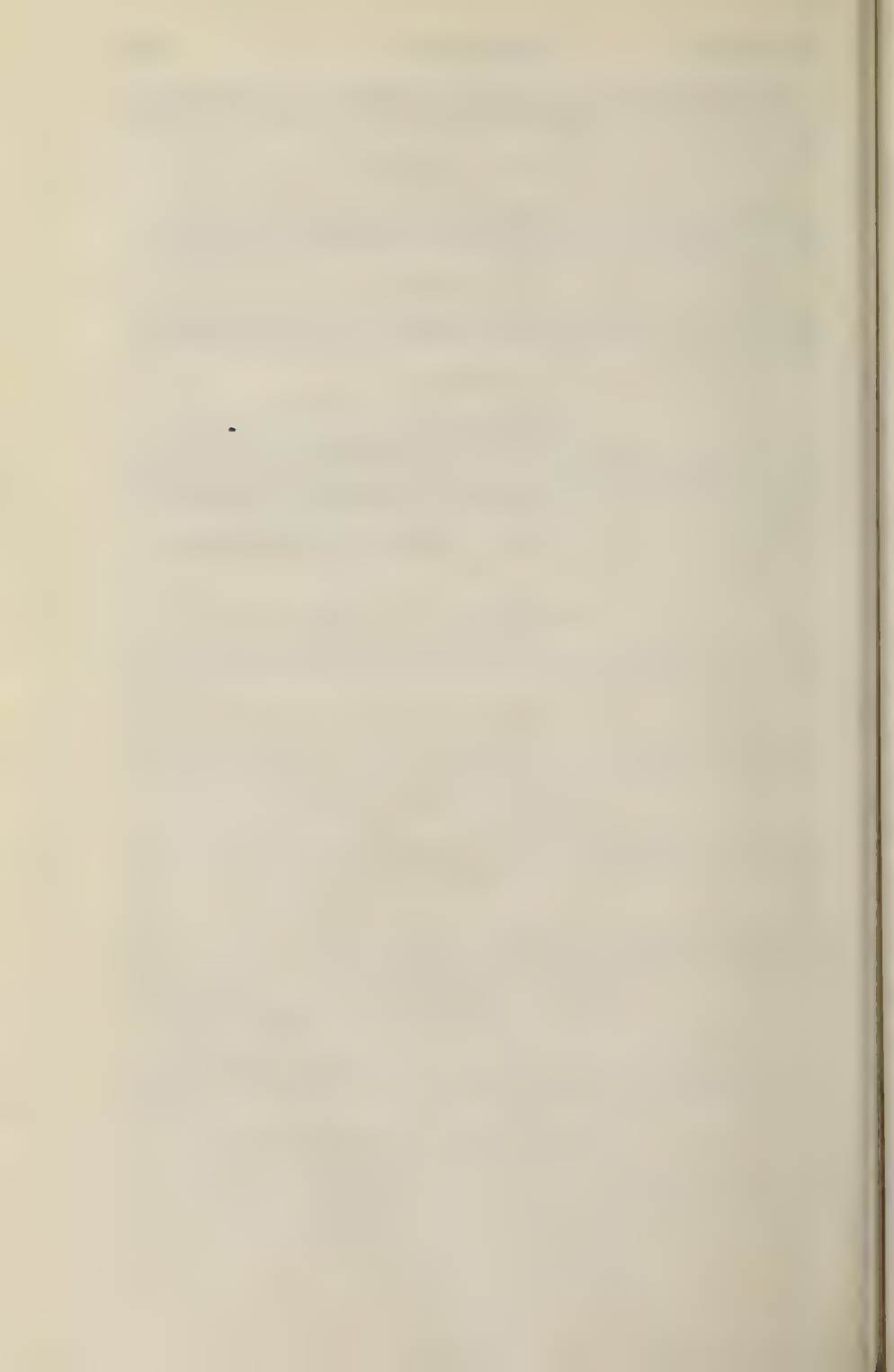
**Senate Bill No. 359:** By Senator Way—An act to amend Section 956 of, and to repeal Sections 957 and 1078 of, the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

#### ADJOURNMENT

At 3.10 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., January 13, 1953 out of respect to the memory of the late Roy Fellom, Patrick J. McMurray, and E. Walton Hedges.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SEVENTH LEGISLATIVE DAY

NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, January 13, 1953

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—40.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Fay of Woodland Hills.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to M. Cornabren and R. Archibald, teachers of the San Mateo Junior College, and the following students: Curt Bernard, Eleanore Wetmore, Bob Sais, Billie Reesser, Marian Neilsen, Ed George, Pat Pickard, Betty Gill, Frances Mahikoa, Blair Harper, Beverly Mitchell, Barbara Preston, May Lacesamana, Robert Fazio, Marilyn Mullins, Dutch Verona, Basil Willett, Jr., and Bob Fairchild.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Louise Oliver and Steve Fodi of Stockton.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Was Peyton of San Jose.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

SENATE CHAMBER, SACRAMENTO, JANUARY 12, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 56

Assembly Bill No. 12

Assembly Bill No. 47

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5

DONNELLY, Chairman

Above reported bills ordered to second reading.

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, JANUARY 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 2**—Relative to the death of Mrs. Goodwin J. Knight;

**Senate Concurrent Resolution No. 3**—Relative to the death of the Honorable Roy Felton;

**Senate Concurrent Resolution No. 4**—Relative to the death of the Honorable Bradford S. Crutenden;

**Senate Concurrent Resolution No. 8**—Approving certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 4, 1952;

**Senate Concurrent Resolution No. 10**—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the general state election held November 4, 1952;

**Senate Concurrent Resolution No. 11**—Relative to the death of the Honorable Jerrold L. Seawell;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the thirteenth day of January, 1953, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, JANUARY 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 68**—An act to add Section 5083.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of January, 1953, at 12 m.

POWERS, Chairman

## RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

### Senate Resolution No. 24

Relative to the passing of Clarence Shaw

WHEREAS, It was with sorrow and regret that the Members of the Legislature learned of the passing of Clarence Shaw, of Los Angeles, on July 4, 1952; and

WHEREAS, Clarence Shaw has been a highly and widely respected leader in Local No. 47 of the American Federation of Musicians for more than a generation, during which time he earned the respect and admiration of the members of Local No. 47 and all who knew him; and

WHEREAS, Clarence Shaw was born on February 1, 1881, in Minneapolis, Kansas, beginning his musical career at the early age of nine by playing cornet in the town band of his home town; and



WHEREAS, His formal musical training was received at Bethany College in Lindborg, Kansas, then going to Oklahoma City in 1904 where he followed his musical career; and

WHEREAS, He was President of Local No. 375 of the American Federation of Musicians in Oklahoma City for four years; and

WHEREAS, Clarence Shaw and his family came to Los Angeles 30 years ago where he became a member of Local No. 47 of the American Federation of Musicians in August, 1922, becoming a life member March 13, 1943; and

WHEREAS, He continued to pursue his musical career in Los Angeles, playing in various theaters and bands and in motion pictures; and

WHEREAS, Clarence Shaw served as Trustee on the Board of Directors of Local No. 47 of the American Federation of Musicians, in Los Angeles, for 13 years beginning in 1927; and as tax officer of Local No. 47 for nine years; and

WHEREAS, He was also a director and trustee of the Musicians Club of Los Angeles for the years 1932, 1933, 1934, and 1937; and

WHEREAS, Clarence Shaw was known by all his associates and friends as an able union administrator who was respected by all who knew him for his patience, sincerity, and understanding; and

WHEREAS, Clarence Shaw, in his untiring efforts for the welfare of musicians in particular and labor in general, exemplified a devotion to the Constitution of the United States and an Americanism that was a continual source of inspiration to everyone who associated with him; now, therefore, be it

*Resolved, by the Senate of the State of California.* That the members of the Senate mourn the passing of Clarence Shaw and wish to extend their sincere condolences to his widow and his two sons; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit suitably prepared copies of this resolution to the members of his family, Mrs. Clarence Shaw, and his two sons, J. Richard Shaw, Donald G. Shaw, of Los Angeles, and Los Angeles Local 47 of the American Federation of Musicians.

Resolution read, and on a motion of Senator Tenney, adopted.

#### LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION

SAN FRANCISCO, January 6, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution No. 190, read and adopted June 23, 1951, by the Senate of California at the 1951 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part Three of its report. This part of the report deals with the problem of reducing property taxes levied upon deep-sea, commercial fishing vessels of more than 50 gross tons register whose home port of registry is in California.

The report is entitled "The Reduction of Property Taxes on Vessels Engaged in Commercial Deep-sea Fishing." In large measure the analysis is predicated upon the testimony of representatives from the tuna fishing industry and local government officials presented to this committee at a public hearing held in San Diego November 26, 1951.

The committee takes this opportunity to thank the many officials of local units of government and the representatives of the tuna fishing industry for their assistance and cooperation.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

#### Motion to Print Report

Senator Hulse moved that the letter of transmittal be printed in the Journal, and Part Three of the report submitted by the Committee on State and Local Government entitled "The Reduction of Property Taxes on Vessels Engaged in Commercial Deep-sea Fishing" be printed in the Appendix to the Journal, and 2,500 additional copies be printed for distribution to the general public.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, January 6, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

DEAR SIR: PURSUANT to Senate Resolution No. 190, read and adopted June 23, 1951, by the Senate of California at the 1951 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part Two of its report. This part of the report is entitled "State and Local Sales and Use Taxes in California." It was prepared pursuant to the provisions of Senate Resolution No. 216 read and adopted by the Senate on June 23, 1951.

The report begins by tracing the historical development of retail sales and use taxation in California, both at the state and the city levels of government. The problems with respect to business compliance and tax administration raised by the large number and the great variety of the sales tax ordinances adopted by California cities are then discussed. A third chapter presents five plans for allocating to local units the revenues which would be produced by a state-collected, uniformly applied, retail sales and use tax. A final chapter takes cognizance of the problems presented by the constitutional limitation upon the subvention of a state-collected tax to local units of government.

The committee takes this opportunity to thank the many state and local officials who cooperated with staff members in the preparation of this report. Appreciation is also expressed for the valuable assistance which the representatives of various business associations and local government organizations provided.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

**Motion to Print Report**

Senator Hulse moved that the letter of transmittal be printed in the Journal, and that Part Two of the report submitted by the Committee on State and Local Taxation entitled "State and Local Sales and Use Taxes in California" be printed in the Appendix to the Journal, and 3,500 copies be printed for distribution to the general public.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
SAN FRANCISCO, January 6, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

DEAR SIR: PURSUANT to Senate Resolution No. 190, read and adopted June 23, 1951, by the Senate of California at the 1951 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part Four of its report.

This part of the report is entitled "A Legal History of Property Taxation in California" and it continues the study of property taxation inaugurated by the committee in 1951. In that year the first two divisions of this report were published. Division I related to property subject to taxation while Division II related to property exempt from taxation. Division III, transmitted herewith, is entitled "Assessment and Equalization of Property."

This report was prepared for the committee by the Legislative Counsel. The committee gratefully acknowledges the assistance and cooperation of the Legislative Counsel and wishes to express its appreciation to Mr. J. Gould and Mr. J. D. Strauss for their participation in the preparation of this report.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

**Motion to Print Report**

Senator Hulse moved that the letter of transmittal be printed in the Journal, and Part Four of the report submitted by the Committee on State and Local Taxation entitled "A Legal History of Property Taxation in California" be printed in the Appendix to the Journal, and 3,500 additional copies be printed for distribution to the general public.

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 12, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 12**

**Assembly Bill No. 12**--An act to repeal Section 7000.3 of, and to add Section 7000.3 to, the Education Code, relating to the support of the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, after line 17 of the printed bill, as amended in Assembly January 9, 1953, insert "The Legislature finds that money received or for which an application has been made under subsection 3(e) of an Act of Congress entitled "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874—Eighty-first Congress) during the 1951-52 Fiscal Year has not been included in any computation made under this chapter for the Fiscal Year 1952-53, and hereby declares that it is not the intention of the Legislature that money received pursuant to subsection 3(e) of said act shall be included in any such computation made during the 1953-54 Fiscal Year, or any fiscal year thereafter."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**RESOLUTIONS**

The following resolution was offered:

By Senator Hulse:

**Senate Resolution No. 25**

Relative to a survey by the Department of Public Works for a highway connecting Palo Verde Valley and Imperial Valley by the most direct feasible route

WHEREAS, Palo Verde Valley in Riverside County and Imperial Valley in Imperial County constitute two of the State's most productive farming areas, with many common interests and needs requiring direct and economical highway connections between them; and

WHEREAS, Such highway connections were available until recently by way of Brawley, Niland, Hopkins Well, and Blythe over a route consisting of 86 miles, 44 of which are paved, but are no longer available because of the establishment of the Chocolate Mountain Gunnery Range by the United States Navy resulting in the closure of this route at the request of high military authorities; and

WHEREAS, The route presently available consists of 152 miles by way of Brawley, Niland, Mecca, State Route 64, U. S. 60-70 and Blythe, a route including that portion of State Route 64 known as the Box Canyon Road which has proved over a period of years to be the most expensive portion of the State Highway System to maintain in that area; and

WHEREAS, Some exploratory work has been done by the United States Navy and the United States Department of Commerce, in conjunction with local authorities, looking toward the establishment of a satisfactory alternate route from Palo Verde Valley to Imperial Valley to take the place of that closed by reason of military necessity; now, therefore, be it

*Resolved by the Senate of the State of California.* That the California Highway Commission and the Department of Public Works are hereby requested to make a survey in accordance with Section 75 of the Streets and Highways Code of a highway connecting the valleys referred to above by any direct, feasible route such as the one by way of Brawley, Glamis, Palo Verde and Blythe; and that in meeting the needs heretofore described the commission and the department are requested to ascertain the most economical route from the long-range viewpoint, particularly in consideration of the possibility of abandoning the expensive Box Canyon portion of State Route 64 if such alternate route were constructed; and be it further

*Resolved.* That the commission and the department are requested to complete this survey within 90 days from the date of adoption of this resolution and to report their findings to the Senate; and be it further

*Resolved.* That the Secretary of the Senate be directed to transmit copies of this resolution to the California Highway Commission, the Director of Public Works and the State Highway Engineer.

Resolution read, and referred to Committee on Rules.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Way asked for, and was granted, unanimous consent to take up Senate Bill No. 56, at this time, for final passage.

#### CONSIDERATION OF SENATE BILL NO. 56

**Senate Bill No. 56**—An act to add Section 5050.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dosses, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 47, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY BILL NO. 47

**Assembly Bill No. 47**—An act to amend Section 7431.1 of the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.



**Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Breed :

*Resolved*, That Assembly Bill No. 47 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.  
Assembly Bill No. 47 passed on file at the request of Senator Breed.

**RESOLUTIONS**

The following resolution was offered :

By Senator Mayo :

**Senate Resolution No. 26**

Relative to the continuance of the Senate Committee on Interstate Cooperation

*Resolved by the Senate of the State of California*, As follows :

1. The Senate Committee on Interstate Cooperation created by Senate Resolution 169 of the 1951 Regular Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of any funds heretofore made available to the committee together with the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time :

**Senate Bill No. 360:** By Senator McBride—An act to add Section 1773.1 to the Labor Code, relating to publishing public works wage rates.  
Referred to Committee on Labor.

**Senate Bill No. 361:** By Senator McBride—An act to amend Section 10253.5 of the Health and Safety Code, relating to birth certificates of adopted children.

Referred to Committee on Judiciary.

**Senate Bill No. 362:** By Senator McBride—An act to amend Section 2 of the Water Conservation Act of 1931 relating to the powers of districts formed under said act.

Referred to Committee on Water Resources.

**Senate Bill No. 363:** By Senator McBride—An act to amend the Water Conservation Act of 1931 by adding thereto a new section designated 55.1, relating to the exclusion of land later included within the municipal water district organized under the Municipal Water District Act of 1911.

Referred to Committee on Water Resources.

**Senate Bill No. 364:** By Senator McBride—An act adopting and authorizing the plan of improvement for flood control and water conservation in the Santa Clara River watershed in Ventura County known as the United Water Conservation District Project consisting of a plan for the construction of the Topa Topa Dam and Reservoir on Sespe Creek, the Santa Felicia Dam and Reservoir on Piru Creek, and the lower river diversion and conservation system in said Ventura County in cooperation with the State of California, for flood control and water conservation, at an estimated cost to the State of \$2,500,000.

Referred to Committee on Water Resources.

**Senate Bill No. 365:** By Senator McBride—An act providing for the constitution of the municipal court in a district embracing the City of Ventura, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 366:** By Senator McBride—An act providing for the constitution of the municipal court in a district embracing the City of Oxnard and the City of Port Hueneme, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 367:** By Senator McBride—An act to add Sections 1643.5 and 1705.6 to, and to amend Section 1706.95 of, the Insurance Code, relating to insurance production agencies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 368:** By Senator McBride—An act to amend Sections 1679.2 and 1709.2 of, the Insurance Code, relating to certificates of convenience to act as insurance agents, solicitors or life agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 369:** By Senator McBride—An act to amend Section 1706.9 of the Insurance Code, relating to life agents' certificates of convenience.

Referred to Committee on Financial Institutions.

**Senate Bill No. 370:** By Senator McBride—An act to amend Section 1708 of the Insurance Code, relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 371:** By Senator McBride—An act to amend Section 1711 of the Insurance Code, relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 372:** By Senator McBride—An act to amend Section 1713 of, and to add Section 1713.7 to, the Insurance Code, relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 373:** By Senator McBride—An act to amend Sections 10270.9, 10270.93 and 10270.95 of, and to add Section 10270.94 to, the Insurance Code, relating to disability insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 374:** By Senator McBride—An act to add Sections 10214 and 10270.65 to the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 375:** By Senator McBride—An act to add Sections 1764, 1764.2, 1764.3, 1764.4, 1764.5, and 1764.7 to the Insurance Code, relating to surplus line brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 376:** By Senator McBride—An act to repeal Section 11092 of Article 6, Chapter 1, Part 1, Division 3, Title 2 of the Government Code, and to add Article 7 to Chapter 3, Part 2, Division 3, Title 2 of said code, relating to the destruction of public records.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 377:** By Senator Cunningham—An act to add Section 11718 to the Health and Safety Code, relating to the bringing of narcotics or alcoholic beverages into state hospitals.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 378:** By Senator Cunningham—An act to add Chapter 8, comprising Sections 5601 to 5672, inclusive, to Division 2 of the Public Utilities Code, relating to the regulation of dump truck carriers.

Referred to Committee on Transportation.

**Senate Bill No. 379:** By Senator Cunningham—An act to add Section 792.1 to the Public Utilities Code, relating to books and accounts of carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 380:** By Senators Dorsey and Brown—An act to amend Section 402b of the Penal Code, relating to refrigerators, ice boxes, and deep freeze lockers.

Referred to Committee on Judiciary.

**Senate Bill No. 381:** By Senator Cunningham—An act to amend Section 407 of the Education Code, relating to the salary of the superintendent of schools of a county of the seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 382:** By Senator Cunningham—An act to repeal an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, relating to the registration of lands and subjecting lands registered under said act to the general recording laws, to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 16 of Article IV of the State Constitution.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 383:** By Senator Cunningham—An act to amend Section 6562 of the Welfare and Institutions Code, relating to the power of a business manager of a state hospital to arrest public offenders on the grounds thereof.

Referred to Committee on Judiciary.

**Senate Bill No. 384:** By Senators Busch, Tenney, O'Gara, Way, Dorsey, Cunningham, Desmond, Ward, and Regan—An act to add Section 1001 to the Code of Civil Procedure, relating to the disclosure of insurance coverage.

Referred to Committee on Judiciary.

**Senate Bill No. 385:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to amend Section 1080 of the Probate Code, relating to the distribution of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 386:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Coombs, Desmond, Ward, Regan, and Cunningham—An act to add Sections 1132, 1133, 1134, 1135, and 1136 to the Probate Code, relating to trusts.

Referred to Committee on Judiciary.

**Senate Bill No. 387:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to repeal Article 1 and Article 2 of Chapter 16 of Division 3 of the Probate Code, and to add a new Article 1 to Chapter 16 of Division 3 thereof, relating to preliminary distribution of estates.

Referred to Committee on Judiciary.

**Senate Bill No. 388:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to amend Sections 360, 361, and 362 of the Probate Code, relating to the probating of foreign wills.

Referred to Committee on Judiciary.

**Senate Bill No. 389:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to repeal Section 754.5 of and to add Section 754.5 of the Probate Code, relating to the sale of estate property.

Referred to Committee on Judiciary.



**Senate Bill No. 390:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Regan, and Ward—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

**Senate Bill No. 391:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to amend Section 647 of the Code of Civil Procedure, relating to matters deemed excepted to.

Referred to Committee on Judiciary.

**Senate Bill No. 392:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

Referred to Committee on Judiciary.

**Senate Bill No. 393:** By Senators Busch, Tenney, O'Gara, Way, Grunsky, Dorsey, Cunningham, Coombs, Desmond, Ward, and Regan—An act to amend Sections 6140 and 6141 of the Business and Professions Code, relating to membership fees in the State Bar.

Referred to Committee on Judiciary.

**Senate Bill No. 394:** By Senator Desmond—An act to add Article 4.6 to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to state assistance to cities, counties, and districts, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 395:** By Senator Dorsey—An act to add Title 8 to Part 3 of the Penal Code, relating to reimbursement to the State, counties, or cities for the care of prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 396:** By Senator Thompson—An act to amend Section 28106 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 397:** By Senator Thompson—An act to amend Section 7324 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 398:** By Senator Thompson—An act to amend Section 7303 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 399:** By Senators Thompson and Hoffman—An act to amend Section 374b of the Penal Code, relating to the disposal of refuse and offensive matter upon public and private highways and roads.

Referred to Committee on Judiciary.

**Senate Bill No. 400:** By Senator Hulse—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 401:** By Senator Thompson—An act to amend Section 79.43 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 402:** By Senator Thompson—An act to amend Section 6537 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Business and Professions.

**Senate Bill No. 403:** By Senator Thompson—An act to amend Sections 750 and 752 of the Vehicle Code, relating to the color of Highway Patrol cars.

Referred to Committee on Transportation.

**Senate Bill No. 404:** By Senator Thompson—An act to amend Section 13204 of Article 1, of Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to cleaning and dry cleaning.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 405:** By Senator Thompson—An act to amend Section 13399 and to add Section 13399.5 to Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to the installation and operation of dry cleaning machines employing chlorinated hydrocarbon types of cleaning solvent.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 406:** By Senator Thompson—An act to repeal Sections 9540.1, 9540.51, 9540.53, 9540.54, 9540.55, 9541, 9542, and 9582 of, and to amend Sections 9540, 9540.3, 9540.5, 9540.52, 9540.7, and 9541.1 of, and to add Sections 9533.5 and 9541 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 407:** By Senator Thompson—An act to amend Section 9580 of, and to add Section 9582 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 408:** By Senator Thompson—An act to amend Sections 9563, 9564, 9565, and 9566 of the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 409:** By Senator Thompson—An act to amend Section 9511 of the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 410:** By Senator Thompson—An act to repeal Sections 9552, 9554, and 9555 of, and to amend Sections 9533, 9550, 9551, and 9560 of, and to add Sections 9552, and 9554 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 411:** By Senator Thompson—An act to repeal Section 9561 of, and to add Section 9534.5 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 412:** By Senator Thompson—An act to repeal Section 9567 of, and to add Section 9598.5 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 413:** By Senator Thompson—An act to amend Section 9575 of the Business and Professions Code, relating to the Dry Cleaners' Fund, making an appropriation.

Referred to Committee on Business and Professions.

**Senate Bill No. 414:** By Senator Thompson—An act to repeal Section 9591 of, and to amend Sections 9590, 9592, 9596, and 9598 of, and to add Section 9567 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 415:** By Senator Thompson—An act to repeal Sections 9594.2, 9594.75, 9594.8, and 9598.5 of, and to amend Sections 9594, 9594.3, 9594.4, 9594.5, 9594.7, 9594.85, and 9594.9 of, and to add Sections 9594.1, 9594.11, 9594.12, 9594.13, 9594.14, and 9594.91 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 416:** By Senator Thompson—An act to repeal Sections 9503, 9504, 9510, 1510.1, 9519, 9520, and 9522 of, and to amend Sections 9501, 9502, 9502.1, 9505, 9505.1, 9506, 9507, 9508, 9509, 9512, 9514, 9522.1, 9522.3, 9522.15, 9522.16, 9522.17, and 9523 of, and to add Section 9505.3 to, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Senate Bill No. 417:** By Senator Thompson—An act to add Section 12272 to Article 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, relating to public records.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 418:** By Senator Thompson—An act to repeal Articles 4 and 5 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 419:** By Senator Thompson—An act to amend Section 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 420:** By Senator Thompson—An act to amend Section 66e of the Code of Civil Procedure, relating to the number of judges in the Superior Court in the County of Santa Clara and providing for the appointment of additional superior court judges in and for the County of Santa Clara, and for their compensation.

Referred to Committee on Local Government.

**Senate Bill No. 421:** By Senator Thompson—An act to repeal Section 7329 of, and to amend Sections 7302, 7331, 7334, 7383, 7393, 7393.1, 7412, and 7420 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 422:** By Senator Thompson—An act to amend Section 1 of Chapter 1705 of the Statutes of 1951, relating to the compensation of judges and attaches of the municipal court.

Referred to Committee on Local Government.

**Senate Bill No. 423:** By Senator Thompson—An act to amend Sections 7322 and 7431 of, and to add Sections 7376.5, 7376.6, and 7432 to, the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 424:** By Senator Thompson—An act to amend Sections 7332 and 7351 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 425:** By Senator Thompson—An act to amend Sections 7436, 7437, 7438, and 7442 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 426:** By Senator Cunningham—An act to amend Section 28107 of the Government Code and Section 407 of the Education Code, relating to the compensation of county officers.

Referred to Committee on Local Government.



**Senate Bill No. 427:** By Senator Cunningham—An act to amend Sections 2102 and 2103 of the Public Utilities Code, relating to the enforcement of the provisions of the Constitution and statutes of this State and affecting public utilities and for the punishment of all violations thereof.

Referred to Committee on Public Utilities.

**Senate Bill No. 428:** By Senator Cunningham—An act to add Section 109a to the Penal Code, relating to escapes from tuberculosis wards of state hospitals.

Referred to Committee on Judiciary.

**Senate Bill No. 429:** By Senators Brown and Hatfield—An act to amend Section 1300 of the Water Code, relating to applications to appropriate water.

Referred to Committee on Water Resources.

**Senate Bill No. 430:** By Senator Regan—An act to amend Section 38 of the Public Utility District Act (Chapter 560, Statutes of 1921) and Section 16467 of the Public Utilities Code, relating to the operation of revenue producing and nonrevenue producing utilities formed under the provisions of the act.

Referred to Committee on Public Utilities.

**Senate Bill No. 431:** By Senators Parkman and Ward—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 432:** By Senator Regan—An act to amend Section 554 of the Vehicle Code, relating to the right of way of emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 433:** By Senator Regan—An act to amend Section 587 of the Vehicle Code, relating to parking in front of a fire hydrant.

Referred to Committee on Transportation.

**Senate Bill No. 434:** By Senator Regan—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 435:** By Senator Parkman—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from such sale or exchange.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 436:** By Senators Parkman and Thompson—An act to amend Section 7059 of the Business and Professions Code, relating to contractors.

Referred to Committee on Business and Professions.

**Senate Bill No. 437:** By Senator Regan—An act to amend Sections 25702 and 25708 of the Corporations Code, relating to agents' certificates under the Corporate Securities Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 438:** By Senator Regan—An act to amend Section 26003 of the Corporations Code relating to fees under the Corporate Securities Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 439:** By Senator Regan—An act to amend Section 25502 of the Corporations Code, relating to applications under the Corporate Securities Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 440:** By Senator Regan—An act to amend Section 25100 of the Corporations Code, relating to the execution, filing and recording of certificates of general and limited partnership.

Referred to Committee on Financial Institutions.

**Senate Bill No. 441:** By Senator Regan—An act to amend Section 22616 of the Financial Code, relating to contracts entered into by personal property brokers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 442:** By Senator Regan—An act to amend Section 22210 of the Financial Code, relating to the withdrawal of an application for a license under the Personal Property Brokers Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 443:** By Senator Regan—An act to amend Section 24610 of the Financial Code, relating to contracts entered into by licensees under the California Small Loan Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 444:** By Senator Regan—An act to amend Section 24210 of the Financial Code, relating to the withdrawal of an application for a license under the California Small Loan Law.

Referred to Committee on Financial Institutions.

**Senate Bill No. 445:** By Senator Regan—An act to amend Sections 18203 and 18206 of the Financial Code, relating to paid-in and unimpaired capital of an industrial loan company.

Referred to Committee on Financial Institutions.

**Senate Bill No. 446:** By Senator Regan—An act to add Section 18406.1 to the Financial Code, relating to loans secured by real property made by an industrial loan company.

Referred to Committee on Financial Institutions.

**Senate Bill No. 447:** By Senator Regan—An act to amend Sections 4850 and 4853 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Referred to Committee on Labor.

**Senate Bill No. 448:** By Senator Regan—An act to amend Sections 4452, 4453, 4455, 4460, and 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 449:** By Senator Regan—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 450:** By Senator Regan—An act to amend Section 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 451:** By Senator Regan—An act to amend Section 4650 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 452:** By Senator Regan—An act to amend Section 4650 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 453:** By Senator Regan—An act to amend Section 4651.1 of the Labor Code, and to add Section 4651.1 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 454:** By Senators Parkman, Ward, Burns, Byrne, and Powers—An act creating a Horse Breeders Committee and a Horse Breeders Fund, and providing for the appropriation of funds thereto, for the encouragement of the breeding of thoroughbred horses in California and for such purposes amending Section 19627 of the Business and Professions Code.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 455:** By Senators Parkman, Ward, Powers, Byrne, and Burns—An act to appropriate money for additional support of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 456:** By Senators Parkman, Ward, Powers, Byrne, and Burns—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 457:** By Senators Parkman, Ward, Powers, Byrne, and Burns—An act to amend Section 19425 of the Business and Professions Code, relating to compensation of members of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 458:** By Senator Regan—An act to amend Section 4658 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 459:** By Senator Regan—An act to add Section 4664 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 460:** By Senator Regan—An act to add Section 4669 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 461:** By Senator Regan—An act to repeal Section 4702 of, and to add Section 4702 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 462:** By Senator Regan—An act to amend Section 4903 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 463:** By Senator Regan—An act to amend Section 5801 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 464:** By Senator Regan—An act to add Section 2105 to the Code of Civil Procedure, relating to admissions.

Referred to Committee on Judiciary.

**Senate Bill No. 465:** By Senator Cunningham—An act to create the Alcoholic Beverage Control Commission and providing for the licensing, regulation and control of the manufacture, transportation, sale, purchase, possession, and disposition of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 466:** By Senator Ward—An act to amend Sections 1124, 1125, 1125.1, 1126, and 1127 of the Probate Code, relating to testamentary trusts.

Referred to Committee on Judiciary.

**Senate Bill No. 467:** By Senator Coombs—An act making an appropriation to the Department of Public Works for the repair, rehabilitation, and improvement of State Highway Route 59 between Esparto and Rumsey.

Referred to Committee on Transportation.

**Senate Bill No. 468:** By Senators Mayo, Breed, and Regan—An act to amend Section 15 of Chapter 737 of the Statutes of 1951, relating to the Interim San Francisco Bay Ports Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 469:** By Senator Desmond—An act to add Article 5 to Chapter 1 of Part 3 of Division 2 of the Insurance Code, relating to the prevention of discrimination against members of the military forces of the United States or the State of California on active duty in regard to automobile property damage and bodily injury liability insurance.

Referred to Committee on Financial Institutions.



**Senate Bill No. 470:** By Senator Desmond—An act to amend Section 576 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 471:** By Senator Desmond—An act to amend Section 730.2 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 472:** By Senator Desmond—An act to amend Section 736.12 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 473:** By Senator Desmond—An act to amend Section 735.3 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 474:** By Senator Desmond—An act to amend Sections 20215 and 20218 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 475:** By Senator Desmond—An act to amend Section 9 of the Civil Code, relating to the performance of certain business transactions on Saturday.

Referred to Committee on Business and Professions.

**Senate Bill No. 476:** By Senator O'Gara—An act to amend Section 6060.8 of the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Business and Professions.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments and respectfully request your confirmation thereof and consent thereto:

MRS. RUTH CHANCE, a resident of San Marino; graduate of the University of California; Member of the Social Welfare Board since September 18, 1952;

to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1957.

JOHN C. CUNEO, a resident of Modesto; Member of the Social Welfare Board since September 14, 1942;

to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

ARCHIE L. HOCKING, a resident of San Jose; Director and Manager of the Oak Hill Memorial Park; a Member of the Cemetery Board since January 31, 1950;

to the Cemetery Board, vice self, for the term prescribed by law, ending January 15, 1957.

HERBERT R. HARGRAVE, a resident of Fresno; Secretary-Treasurer and General Manager of the Chapel of the Light; a Member of the Cemetery Board since January 31, 1950;

to the Cemetery Board, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA  
STATE CAPITOL, SACRAMENTO, January 9, 1953

Hon. Harold J. Powers

*Chairman, Senate Rules Committee  
Senate Chamber, State Capitol  
Sacramento, California*

DEAR SIR: In compliance with the Rules of the Legislature, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

#### Approved for Press Cards

*Associated Press*—Morrie Landsberg, Wayne Harbert, Joseph J. Lipper, William

H. Allen, Gene Kramer, Alan Cline, Roger Barr, Allen Barton, Wilbur Jones.

*Capitol News Service*—Henry C. MacArthur, Raymond V. Toman.

*International News Service*—Neil Shaw, Frederic J. Rupp.

*Fresno Bee and Modesto Bee*—James McClatchy.

*Los Angeles Daily News*—Leslie E. Claypool.

*Los Angeles Examiner*—Carl Greenberg.

*Los Angeles Mirror*—James Bassett.

*Los Angeles Times*—Chester G. Hanson.

*McClatchy Broadcasting Company*—Tony Koester, Victor Blanks.

*Oakland Tribune*—Don Thomas.

*Sacramento Bee*—Herbert L. Phillips, Richard Rodda, Thomas Arden, A. E. Lyons,

Robert J. Markson, Walter P. Jones, Myron V. Depew, George E. Helmer,

Hamilton Hintz, Rudy Hickey, Robert Handsaker.

*San Francisco Chronicle*—Earl C. Behrens, Jack Doyle.

*San Francisco Call-Bulletin*—C. Lyn Fox.

*San Francisco Examiner*—Clint Mosher, A. J. Welter.

*San Francisco News*—Vernon O'Reilly.

*San Jose News*—Wesley G. Peyton.

*United Press*—James C. Anderson, Edwin S. Capps, Walter L. Barkdull, Wayne

Sargent, R. D. Wagner, Jerry Keating, Jerry Reynolds, Alfred Allen.

*San Diego Evening Tribune*, and *Southern California Associated Newspapers, Inc.*

—Richard C. Bergholz.

*San Diego Union*—Henry Love.

*Sacramento Union*—J. L. Rosenberg, E. E. Nichols, Thomas Evans, Joseph Benetti.

*Wall Street Journal*—Norman Deuel.

Sincerely,

EARL C. BEHRENS, President

## REPORTS OF STANDING COMMITTEES

SPECIAL SENATE COMMITTEE ON  
LEGISLATIVE REPRESENTATION

(Pursuant to Senate Standing Rule 57, 1951)

January 12, 1953

*President of the Senate  
California Legislature  
State Capitol  
Sacramento, California*

DEAR SIR: I am submitting herewith Progress Report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this Progress Report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
Special Senate Committee on  
Legislative Representation

**PROGRESS REPORT OF THE SPECIAL SENATE COMMITTEE  
ON LEGISLATIVE REPRESENTATION**

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

Adam, James, Box 99, Presidio Station, San Francisco  
Golden Gate Bridge and Highway District  
Adams, Ray, 541 S. Spring, Los Angeles  
Calif. Motel Assn.; Calif. Tavern Assn.  
Albrecht, Eugene L., 639 E. Carson St., Long Beach  
Calif. State Firemen's Assn.  
Alloway, George O., 1220 Rowan Bldg., Los Angeles  
Hearst Publishing Co.  
Altman, Harold N., P. O. Box 596, Jackson  
Amador County Chamber of Commerce  
Anderson, Alan G., 1625 Russ Bldg., San Francisco  
Municipal License Tax Assn.; Private Truck Owners Bureau  
Anderson, Wm. C., 25 Thorington Bldg., Merced  
Western Dairymen's Assn.  
Arnold, Lewis E., Rm. 600, City Hall, Los Angeles  
City of Los Angeles, Bureau of Engineering

- Ashbaugh, F. G., 1005 8th St., Sacramento  
Pacific Union Conference of Seventh Day Adventists
- Barr, William, 1100 Mission Road, Los Angeles  
Los Angeles County Board of Supervisors
- Bayer, Charles P., 1151 S. Broadway, Los Angeles  
Los Angeles Chamber of Commerce
- Brennan, Raymond Lewis, Rm. 1028, 417 S. Hill St., Los Angeles  
Interment Assn. of California
- Bromley, Elmer P., 3946 Wilshire Blvd., Los Angeles  
Southern California Edison Company; Southern Counties Gas Company; California Electric Power Corporation; San Diego Gas and Electric Company; Pacific Gas and Electric Company; Coast Counties Gas Company; California-Oregon Power Company; Southern California Gas Company
- Brown, Chas. A., 330 Bush St., San Francisco  
California State Chamber of Commerce
- Brumbaugh, Cal F., California Highway Patrol, Bridgeport  
California Association of Highway Patrolmen
- Bruns, Walter E., 200 Montgomery St., San Francisco  
Bank of America National Trust and Savings Association
- Burke, Stanley, 461 Market St., San Francisco  
California Self-Insurers Association
- Butler, Monroe, 417 S. Hill, Los Angeles  
The Superior Oil Company
- Chase, Frederick A., 3723A Wilshire Blvd., Los Angeles  
California Council of Architects
- Clopton, Mort L., 639 S. Spring St., Los Angeles  
California Manufacturers Association
- Cahill, F. Everett, 140 New Montgomery St., San Francisco  
The Pacific Telephone and Telegraph Company
- Carlson, Donald A., 530 W. 6th St., Los Angeles  
Dairy Institute of California
- Chandler, Laurence, 1151 S. Broadway, Los Angeles  
Los Angeles Chamber of Commerce
- Cleary, Donald W., City Hall, San Francisco  
City and County of San Francisco
- Conaghan, James A., 337 17th St., Oakland  
Alameda County Milk Dealers Association
- Conner, Elbert S., 903 State St., Santa Barbara  
Society of California Accountants
- Connors, James M., 444 Market St., San Francisco  
Board of Trade of San Francisco
- Conser, Eugene P., 117 W. Ninth St., Los Angeles  
California Real Estate Association
- Cooper, Vincent T., 400 Forum Bldg., Sacramento  
County Supervisors Association
- Corey, Arthur F., 639 Sutter St., San Francisco  
California Teachers Association
- Corr, J. Wilfred, 35 N. Arroyo Parkway, Pasadena  
California Funeral Directors Association



- Cragin, J. Harold, 458 S. Spring, Los Angeles  
California Portland Cement Company; Monolith Portland Cement Company; Riverside Cement Company; Southwestern Portland Cement Company
- Craig, Edward, 433 California St., San Francisco  
Pacific Lighting Corporation
- Dieffenbacher, Joseph R., 816 Sixth St., Sacramento  
California Association of Ice Industries; California Warehousemen's Association; Pacific States Cold Storage Warehousemen's Association
- Davis, Neill, 433 S. Spring St., Los Angeles  
California Savings and Loan League
- Dean, J. M., 1666 Wilshire Blvd., Los Angeles  
Building Material Dealers' Credit Association
- Derrough, John H., 580 Washington St., San Francisco  
Insurance Brokers Exchange of California
- Despol, John A., W. M. Garland Bldg., Los Angeles  
C.I.O. California Industrial Union Council
- Dick, J. Edgar, 681 Market St., San Francisco  
California Cattlemen's Association
- Dudley, Arthur S., 531 Southgate Rd., Sacramento  
Western Tax Council Inc.
- Durbrow, Robert T., 932 Pacific Bldg., San Francisco  
Irrigation Districts Association of California
- Forbes, Walter D., 368 Hazelwood Ave., San Francisco  
Retired Teachers Association of San Francisco
- Eckart, Harold F., 821 Market St., San Francisco  
California Federated Institute
- Ellsworth, Von T., 2223 Fulton St., Berkeley  
California Farm Bureau Federation
- Fillerup, O. W., 2223 Fulton St., Berkeley  
California Farm Bureau Federation
- Fossette, Carl, 1233 Hermosa Ave., Hermosa Beach  
West Basin Water Association
- Fox, Stark, 1035 Subway Terminal Bldg., Los Angeles  
Oil Producers Agency of California
- Fraser, John H., 400 Forum Bldg., Sacramento  
County Supervisors Association
- Frost, Dudley W., Port of Oakland, Oakland  
Board of Port Commissioners, Port of Oakland
- Finks, Harry, 5257 H St., Sacramento  
California State Federation of Labor
- Garrod, R. V., 4680 Wilshire Blvd., Los Angeles  
Farmers Underwriters Association; California Farmers Incorporated
- Getz, Clyde, 3100 W. Adams Blvd., Los Angeles  
Children's Home Society of California
- Gibbens, C. M., 3800 Roderick Rd., Los Angeles  
Brotherhood of Railway Carmen of America
- Gilman, Don E., 530 W. Sixth St., Los Angeles  
Keleo Company
- Gilmore, Joseph P., 57 Post St., San Francisco  
Draymen's Association of San Francisco

- Gitchell, George A., 140 New Montgomery St., San Francisco  
The Pacific Telephone and Telegraph Company
- Haggott, Ben, 1233 Hermosa Ave., Hermosa Beach  
West Basin Water Association
- Hanna, Byron C., 1126 Pacific Mutual Bldg., Los Angeles  
The Superior Oil Company; Artists' Managers Guild
- Hawkins, Frederick H., 225 Bush St., San Francisco  
Life Insurance Association of America
- Healey, Lester, 3771 Eighth St., Riverside  
California Electric Power Company
- Hodges, C. J., 821 Market St., San Francisco  
Brotherhood of Railroad Signalmen of America
- Herrington, Lou I., 533 Forum Bldg., Sacramento  
California State Restaurant Association
- Jameson, Charles R., Yolo County Courthouse, Woodland  
Judges', Marshals', and Constables' Association of the State of California
- Johnston, Willard S., 405 Montgomery St., San Francisco  
Safeway Stores, Inc.; Beverage Distributors, Inc.
- Knight, T. F., Jr., 315 W. Ninth, Los Angeles  
California Manufacturers Association
- Kahn, Max, 1616 Mills Tower, San Francisco  
Jefferson E. Peyser (Wine Institute)
- Kennedy, Harold W., 1100 Hall of Records, Los Angeles  
Board of Supervisors of Los Angeles County
- Kennedy, Vincent D., 1400 10th St., Sacramento  
California Retailers Association.
- Kugler, Jay H., 57 Post St., San Francisco  
Dairy Institute of California
- Long, E. A., Penobscot Farm, Cool, California  
Western Harness Racing Association; Bazzell Engineering Associates
- LeCain, Frank, 124 W. Sixth St., Los Angeles  
California State Association of Journeymen Barbers, Hairdressers,  
Cosmetologists, and Proprietors
- Lippold, Earl O., 100 Hall of Records, Los Angeles  
Board of Supervisors of Los Angeles County
- Little, Walter J., 510 W. Sixth St., Los Angeles  
Atchison, Topeka, and Santa Fe Railroad; Southern Pacific Co.;  
Northwestern Pacific Railroad; Western Pacific Railroad; Union  
Pacific Railroad
- Luther, John M., Forum Bldg., Sacramento  
California Central Valleys Flood Control Association
- Lynch, John Knox, 821 Market St., San Francisco  
La Salle Extension University
- Lyons, William, 207 S. Broadway, Los Angeles  
City of Los Angeles, Department of Water and Power
- Marshall, Ross, Rowan Bldg., Los Angeles  
Hearst Publishing Co., Inc.
- Mack, J. O., 1402 Humboldt Bank Bldg., San Francisco  
Associated Plumbing Contractors of California

- Mather, Allen F., 1400 10th St., Sacramento  
Agricultural Council of California
- Miller, James A., 1015 Geary St., San Francisco  
California State Hotel Association
- Mitchell, Graham R., 816 San Fernando Bldg., Los Angeles  
California State Legislative Board, Brotherhood of Locomotive Engineers
- Margolis, Harry, P. O. Box 407, Saratoga, California  
Northern California Beer Distributors Association; Southern California Beer Distributors Association
- Moore, Edwin S., 150 Van Ness Ave., San Francisco  
California State Automobile Association
- Morris, J. H., 1217 Taft Bldg., Hollywood  
Santa Monica Sea Food Company
- Morton, Harold C., 1126 Pacific Mutual Bldg., Los Angeles  
The Horsemen's Benevolent and Protective Association
- Muekler, Robert, 601 W. Fifth St., Los Angeles  
The Superior Oil Company
- Miles, Harold M., 510 W. Sixth St., Los Angeles  
Southern Pacific Company
- McCracken, O. V., 701 S. St. Andrews Pl., Los Angeles  
California Pharmaceutical Association, Ltd.
- McDonough, Martin, 716 California State Life Bldg., Sacramento  
Calveras County Water District
- McDougall, William R., 400 Forum Bldg., Sacramento  
County Supervisor Association
- McFarland, John P., 155 Montgomery St., San Francisco  
American Reciprocal Insurance Association; Industrial Indemnity Company; State Farm Insurance Companies
- McGilvray, Kenneth, Forum Bldg., Sacramento  
Building Material Dealer's Credit Association
- Mackenzie, J. F., 1050 S. Prairie Ave., Inglewood  
Hollywood Turf Club
- McKenzie, Jack G., 1014 Merchants Exchange Bldg., San Francisco  
The National Board of Fire Underwriters
- McLennan, A. D., 121 E. Sixth St., Los Angeles  
Atchison, Topeka, and Santa Fe Railway Company
- McNamara, Daniel J., 503 City Hall, Oakland  
City of Oakland
- Neal, William, 412 City Hall, Los Angeles  
City of Los Angeles
- Ogle, Joel E., 308 Hall of Records, Santa Ana  
County of Orange
- Olson, S. J., 1540 San Pablo Ave., Oakland  
State Association of Journeymen Barbers, Hairdressers, Cosmetologists, and Proprietors
- Owens, Richard W., 350 Bush St., San Francisco  
California State Chamber of Commerce
- Perry, Newell, 2421 Woolsey St., Berkeley  
California Council for the Blind

- Peterson, Lynn G., 1910 N. Main St., Los Angeles  
Los Angeles Brewing Co.
- Peyser, Jefferson E., 1616 Mills Tower, San Francisco  
Wine Institute
- Phillips, Lloyd A., Senator Hotel, Sacramento  
Southern Pacific Co.; Atchison, Topeka, and Santa Fe Ry.; Union  
Pacific Ry.; Northwestern Ry.
- Read, Ben H., 510 S. Spring, Los Angeles  
Public Health League of California
- Redfield, J. Miller, 102 N. Brand Blvd., Glendale  
California Loan and Finance Association
- Rooney, J. Kerwin, Port of Oakland, Oakland  
Board of Port Commissioners, Port of Oakland
- Salisbury, E. E., 36 O'Farrell St., San Francisco  
Association of California Hospitals
- Sargent, Arthur M., 681 Market St., San Francisco  
California Society of Certified Public Accountants
- Schofield, W. R., 681 Market St., San Francisco  
California Forest Protective Association
- Scully, Charles P., 995 Market St., San Francisco  
California State Federation of Labor, A. F. of L.
- Shepard, George M., 28 N. First St., San Jose  
California Drycleaners Association
- Spencer, J. C., 150 Van Ness Ave., San Francisco  
California State Automobile Association
- Sprague, Frank L., 2101 K. St., Sacramento  
Sacramento Municipal Utility District
- Stevens, Bernice, 3102 Stuart St., Oakland  
California Association of Medical Laboratory Technicians
- Stevens, Charles R., 1632 Russ Bldg., San Francisco  
Pillsbury, Madison & Sutro (Standard Oil); Shell Oil Company; Rich-  
field Oil Corporation; General Petroleum Corporation
- Stone, Ray, 5501 Hazel Ave., Fair Oaks  
California State Horsemen's Association
- Siegel, William M., 400 Forum Bldg., Sacramento  
County Supervisors Association
- Taft, Perry H., 315 Montgomery St., San Francisco  
Association of Casualty and Surety Companies
- Tarnoff, Harry L., 115½ N. Larchmont Blvd., Los Angeles  
Southern California Retail Liquor Dealers Association
- Taylor, Ralph H., 1400 Tenth St., Sacramento  
Agricultural Council of California
- Titherington, Robert W., 3700 Arden Creek Road, Sacramento  
The Associated General Contractors of America, Inc., Central Cali-  
fornia Chapter
- Tregoning, William L., 401 State Office Bldg. No. 1, Sacramento  
California Probation and Parole Association
- Tomasini, Belle, 2304 D St., Bakersfield  
California Physical Therapists Association
- Troost, Frank W., 3411½ W. 43d Pl., Los Angeles  
California Monument Association, Inc.



- Tuttle, Richard E., 433 S. Spring, Los Angeles  
California Land Title Association
- Vanderlip, Loran C., 350 Bush St., San Francisco  
California State Chamber of Commerce
- Wakefield, George W., 1100 Hall of Records, Los Angeles  
Board of Supervisors of the County of Los Angeles
- Walker, Chester W., P. O. Box 99, Hamilton City, Hamilton, California  
California Livestock Auction Yards Association, Inc.
- Ward, Bernard J., 206 City Hall, San Francisco  
City Attorney, City and County of San Francisco
- Watts, William T., 140 New Montgomery St., San Francisco  
The Pacific Telephone and Telegraph Company
- Weil, Jerold E., 2100 Central Towers, San Francisco  
The State Bar of California
- Wilkins, Philip C., Forum Building, Sacramento  
California Association of State Auditors
- Weber, Georges M., 1830 Sutter St., San Francisco  
Friends Committee on Legislation
- Weber, Marjorie S., 1830 Sutter St., San Francisco  
Friends Committee on Legislation
- Wood, Lydia A., 944 Hudson Ave., Los Angeles  
Womens Christian Temperance Union of Southern California;  
Southern California Council of Church Women
- Welsh, Harry E., 601 W. Fifth St., Los Angeles  
Southern California Edison Company
- Yarwood, Paul, Rm. 204, 1400 Tenth St., Sacramento  
California Optometric Association

Your committee, in order more properly and efficiently to perform its functions under Government Code Section 9909, in order that you may understand how it intends to perform its functions and to proceed and in order that persons affected by and interested in the action which your committee will take in performing its functions under Government Code Section 9909 may know how your committee will proceed and, when necessary, may adjust their own conduct accordingly, has adopted Rules of Procedure dealing with the issuing, suspension or revocation of Certificates of Registration as Legislative Advocate, and respectfully reports that it has adopted Rules as follows:

*Resolved by the Special Senate Committee on Legislative Representation*, That, until revoked, altered, or amended, these Rules are adopted and shall guide the committee in conducting proceedings, conducting investigations, and holding and conducting hearings, when hearings are held, to determine whether the committee shall issue, revoke, or suspend a Certificate of Registration as Legislative Advocate under Section 9909 of the Government Code:

#### PART 1—GENERAL PROVISIONS

1. Unless the provision or the context otherwise requires, the definitions and general provisions set forth in this part govern the construction of these Rules.

2. "Committee" means the Special Senate Committee on Legislative Representation.

3. "Registrant" means any person required to file any statement or report under Section 9906 of the Government Code, and any person who has filed any statement or report referred to in Section 9906 of the Government Code.

4. "Certificate" means a Certificate of Registration as Legislative Advocate, issued pursuant to Section 9909 of the Government Code.

5. Rule or Part headings contained in these Rules shall not in any manner affect the meaning or intent of these Rules.

#### PART 2—ISSUANCE OF CERTIFICATES

20. Applications for Certificates. The committee may consider any statement, report, or authorization filed by a registrant pursuant to Section 9906 of the Government Code, as an application for a certificate.

21. Processing Applications. The committee will review each application for a certificate filed by registrants to whom any certificate has been issued, as soon as practicable after the filing of the application. If upon a review of the application, the committee is not satisfied that a certificate should issue, the committee may require the registrant to supply and submit such additional information and proof as the committee deems proper.

If upon a review of the application, and the review of any additional information and proof, and after such other investigation as the committee deems proper a majority of the committee finds that the registrant is of good moral character, has complied with the provisions of Chapter 8, Part 1, Division 2, Title 2 of the Government Code, and is entitled to a certificate, the committee will make a preliminary determination to that effect.

22. Report of Preliminary Determination. The committee shall, as soon as practicable, report to the Senate its preliminary determination. The report shall contain the name of each registrant to whom the committee proposes to issue a certificate, the name or names of the persons by whom each registrant is employed and from whom the registrant has on file an authorization, a brief statement that the committee proposes to issue a certificate to each person named not less than five days after the making of the report unless good cause for denying the certificate is presented, and a request that the report be printed in the Senate Journal.

23. Issuance of Certificate. At the first meeting of the committee held not less than five days after the making of the report of the committee's preliminary determination, the committee will issue a certificate to each registrant named in the report, unless there has been filed with the committee a verified complaint conforming with the provisions of Part 4 of these Rules, or because of matter brought to its attention since the filing of the report, the committee on its own motion determines to conduct further investigation.

24. Report of Denial, Suspension, or Revocation of Certificate. If upon review of an application and the review of any additional information and proof, or after such other investigation as the committee deems proper, the committee finally determines that the application should be

denied and that the registrant should not receive a certificate, or if a certificate is suspended or revoked, the committee shall make an order to that effect and report its action to the Senate.

If the determination and order are made without an opportunity for the registrant to appear at a hearing, the Executive Secretary of the committee shall mail a copy of the order to the registrant at his last address shown on his registration papers. The order shall be mailed, together with a statement that upon proper application pursuant to Part 4 of these Rules, a hearing will be afforded the registrant.

If the order is made after a hearing or after the registrant has been afforded an opportunity to appear at a hearing of which he has failed to avail himself, no notice of such order need be given to the registrant.

### PART 3—CERTIFICATE REQUIREMENTS

30. Duration of Certificate. Certificates remain in effect until they expire by their terms or by operation of law, or until surrendered, suspended, or revoked as provided in Section 9909 of the Government Code and in these Rules.

31. Service of Papers. Any notice, request, demand, subpoena, or other paper or process shall be deemed personally served on the registrant if it is enclosed in a sealed envelope, addressed to registrant at the last business address shown in his registration statement or other papers filed pursuant to Section 9906 of the Government Code, and deposited in the United States mail, postage prepaid.

32. Surrender of Certificate. Each registrant shall forthwith surrender his certificate to the committee when the certificate expires, or when the committee has suspended or revoked it.

33. Additional Information to Be Filed. Each registrant shall promptly file from time to time, as provided for in Section 9906 of the Government Code, the following information:

(a) A statement of any additional employment.

(b) A statement of any change in his business address.

(c) A statement of any change in the terms of employment as a legislative representative, or other employment referred to in any papers filed pursuant to Section 9906 of the Government Code, including, but not limited to, the name and address of the employer, term of employment, compensation or other consideration to be paid.

34. Surrender of Certificate for Modification. Each registrant shall, upon request, promptly surrender his certificate in order that it may be appropriately changed or modified, where a change or modification is required, or cancelled, if all of the registrant's authority has been terminated.

35. Reports. Each person registering pursuant to Section 9906 of the Government Code, and each registrant to whom a certificate has been issued shall, between the 1st and 10th day of each calendar month, so long as his activity continues, file the detailed reports under oath as required by Section 9906. A failure to do so shall not be deemed reason for suspending or revoking a certificate, if in any month for which a report is not filed the registrant or holder of a certificate has not engaged in any activity referred to in Section 9906 of the Government Code, and registrant so states in the first monthly report filed by him thereafter. Such

statement shall be sufficient to continue his certificate in good standing if there are no other grounds or reasons that the certificate should be suspended or revoked. This Rule shall not be construed to prevent any person from filing a monthly report for the months during which he has not engaged in any activity covered by Section 9906, for the purpose of making it appear currently of record that his registration and certificate are in good standing.

36. Statement of Compensation. The failure of a registrant to include in his registration a statement of how much he is paid, and is to receive, shall be deemed sufficient ground for refusing to issue a certificate. If the registrant's employment is on a regular monthly or annual basis and is for services other than activities specified in Section 9906 of the Government Code, the committee will deem that he has complied with this Rule if he does either of the following:

(a) States his annual or monthly compensation.

(b) States that he is paid on a monthly or annual basis for various services, some of which do not constitute activities under Section 9906, and further states that he will make appropriate allocation of his compensation for activities covered by Section 9906 when such services are performed. If the registrant thereafter fails to make such allocation of his compensation in any monthly report, this failure shall be deemed sufficient ground for refusing a certificate or suspending or revoking a certificate.

The committee shall not consider that the requirements of this Rule are met if the registrant merely states that he is to be paid a reasonable fee or a fee to be agreed upon, but where the fee or compensation is to be fixed or agreed upon only as or after services have been rendered, the basis upon which the fee is to be determined shall be fixed and stated with precision and upon a unit time basis, and the monthly reports filed thereafter which state the amount of the fee earned in the preceding month and the amount thereof which has been paid.

If the basis for fixing a fee for compensation is one which would increase or decrease the compensation depending upon the result of the services and whether the same were successful in whole or in part or unsuccessful in whole or in part, it shall be considered for the purposes of these Rules, an agreement for contingent compensation, and shall be deemed sufficient ground for denying, suspending, or revoking a certificate.

#### **PART 4—PROCEDURE FOR DENIAL, REVOCATION, OR SUSPENSION OF CERTIFICATES**

40. General. Certificates will be suspended or revoked as provided in subdivision 2 of Section 9909 of the Government Code and in these Rules, upon proceedings, investigations, or hearings initiated by the committee on its own motion or by verified complaint.

41. Periodic Review of Registration Statements. The committee, from time to time, will review all statements, reports, and authorizations filed by any registrant to whom a certificate has been issued and is outstanding, and will review such other information or proof as it may from time to time require, to determine if the registrant is in good standing as such and is complying with the provisions of law. If the committee



finds upon such review that good cause exists for the suspension or revocation of a certificate, it may on its own motion, with or without a hearing as it determines, take such steps as it deems appropriate.

42. **Filing of Complaints.** The committee will receive and file with its records any verified complaint against any registrant. The committee may disregard any complaint filed and summarily dismiss the same if it fails to comply with the provisions of Rule 43, or fails to state any charge which, if true, would warrant the denial, suspension, or revocation of a certificate.

43. **Form of Complaints.** The complaint shall be signed by the persons making the charges. If filed by other than a natural person, the complaint shall be signed and verified by a duly authorized officer thereof. The complaint shall be verified in the manner provided by the Code of Civil Procedure for the verification of complaints in civil actions. A verified complaint shall clearly and distinctly show the following:

(a) The name and address of the persons by whom or on whose behalf the complaint is filed.

(b) The name of the persons against whom the complaint is made.

(c) A statement of the charges made. The statement of charges shall specify the statutes, Rules, or other provisions of law with which the person charged (respondent) is alleged to have violated, together with a statement in ordinary and concise language of the acts or omissions with which the respondent is charged. If any statement is on information and belief, it shall be accompanied by a statement of the source of the information and the grounds for the belief, which shall be a statement of fact and not conclusions.

44. **Charges in Complaints.** The committee will consider only the following charges in any verified complaint:

(a) The charge that the respondent is not a person of good moral character.

(b) The charge that the respondent has violated a provision or provisions of Chapter 8, Part 1, Division 2, Title 2, of the Government Code.

(c) The charge that respondent has violated his obligations under Section 9910 of the Government Code.

(d) The charge that respondent has violated Section 35 of Article IV of the State Constitution.

(e) The charge that respondent has violated Sections 85 or 86 of the Penal Code, or Sections 9054 or 9056 of the Government Code.

45. **Notice of Complaint.** If a verified complaint complying with the requirements of these Rules is filed with the committee, the committee may make such investigation as it deems appropriate. Before a hearing is held on the complaint, notice thereof shall be served on the person or persons charged in the complaint, together with a copy of the complaint. The notice may be served personally or in the manner provided by Rule 31. The notice shall state that a verified complaint has been filed with the committee, that the respondent named in the complaint has 10 days after service of the notice within which to file a verified answer with the committee and demand a hearing, and that unless such verified answer and demand for hearing are filed within that time, or such further time as

the committee may grant, the committee will proceed to deal with the charges in the verified complaint in such manner as it deems proper.

46. **Filing of Answer.** The respondent named in the complaint may within 10 days after service of the notice and copy of the complaint, file with the committee a verified answer to the charges and demand a hearing. The committee may, for good cause, grant further time in which to answer. The answer may consist of denials or the statement of any material by way of defense, or both.

If an answer and demand for hearing is filed as provided for in these Rules, a hearing shall be had as provided by these Rules. If no answer and demand for hearing is filed, the committee may proceed to deal with the charges in the complaint as it deems proper, and may hold hearings on the charges, at which hearings the committee may require the attendance of the respondents, the complainants, or any other person the committee desires to hear.

47. **Certificate Not Suspended by Filing Complaint.** If at the time of the filing of a complaint, a respondent named in the complaint holds a valid certificate, it shall remain in effect until the committee determines the charges made in the complaint and dismisses the charges or suspends or revokes the certificate.

48. **General Rule on Hearing.** Except as otherwise provided by law and by these Rules, the committee in determining whether to issue, suspend, or revoke a certificate may proceed with or without hearings. If hearings are held, they shall be open to the public.

49. **Hearing When Complaint Filed.** If a verified complaint has been filed with the committee, and the respondent has filed an answer and demand for hearing, a hearing shall be had before a certificate is issued, suspended, or revoked.

50. **Hearing When Certificate Has Been Denied.** If the committee has refused to issue a certificate without a hearing, the registrant shall be notified of the committee's action. The notice shall be served as provided in Rule 31. Within 10 days after the mailing of the notice the registrant whose application has been denied may demand a hearing.

51. **Investigations.** All investigations, other than hearings, shall be conducted by the committee at such times, at such places, and by such means as the committee deems proper.

52. **Scheduling Hearings.** The chairman shall schedule such hearings as are deemed advisable or as are provided for by these Rules. The time and place of all hearings shall be such as the chairman may fix, except that the time shall not be earlier than the expiration of the time within which a respondent or registrant may file a demand for a hearing.

53. **Notice of Hearings.** The committee shall give reasonable notice in writing of time and place of all hearings either personally or by mail, to the complainant or complainants in any verified complaint, to the respondent or respondents charged in any verified complaint, and to any registrant entitled to a hearing as provided in Rules 49 and 50. The committee may give notice of the hearings to any other persons they deem proper, and in such manner as they deem proper. When hearings are held on the committee's own motion, only such notice shall be given as the committee deems proper in the circumstances.

54. Conduct of Hearings. At any hearing a person shall be heard only with the consent of the committee, except that on hearings held pursuant to demands for a hearing filed in accordance with these Rules the complainant, respondent, and registrant shall be entitled to the following:

(a) To be represented by a member of the State Bar of California.

(b) To produce evidence which is material and relevant, and to cross-examine witnesses.

(c) To have subpoenas issued by the committee upon reasonable request therefor. If a request for a subpoena duces tecum is filed, the subpoena will issue only if the request specifies with particularity the records, documents, papers, or other material desired, and is accompanied by a showing required for the issuance of subpoenas duces tecum in civil actions in the superior courts of the State of California.

55. Scope of Inquiry. In all hearings oral evidence shall be taken only by oath or affirmation. No testimony or evidence required shall be taken or received unless it is material and relevant to a charge made in the verified complaint, or a matter under investigation. In hearings had under the committee's own motion, the committee may determine the scope of the hearing, and on hearings had pursuant to a demand under Rules 49 and 50, the inquiry shall not be confined to any reasons which the committee may have stated upon the denial, suspension, or revocation of a certificate.

56. Amending Complaint or Answer. The committee in its discretion may permit amendment to any verified complaint, answer, or other material filed with it, upon a showing to the committee of cause which the committee deems sufficient.

57. Order of Hearings. On any hearing the committee shall determine the order of procedure and the order of proof, and on its own motion may enlarge the scope of the inquiry. The hearing need not be conducted according to any technical rules.

58. Evidence. The hearing need not be conducted according to any technical rules relating to evidence, testimony, or witnesses, used in courts of record. Any evidence which is relevant and material shall be admitted if it is the sort on which responsible persons are accustomed to rely in the conduct of serious affairs, without regard for any common law or statutory rule under which it might be excluded in the trial of any civil action.

On all investigations and hearings the committee will consider, and take notice of, so far as relevant and material, all proceedings and all matters appearing in any proceeding, at any time had by either house of the Legislature or any committee of either house of the Legislature or any joint committee of the houses of the Legislature.

59. Affidavits. The committee may receive proof on any matter by affidavit. If any affidavit is received in any hearing held pursuant to a demand for a hearing, the complainant, respondent, or registrant shall be afforded an opportunity, upon a request made within a reasonable time after notice that the affidavit will be received, to cross-examine the



person making the affidavit. If an opportunity to cross-examine the person making the affidavit is not afforded after a request therefor, the affidavit may be introduced in evidence, but shall be given only the same effect as other hearsay evidence.

60. Failure to Appear Before Committee. If any complainant who has filed a verified complaint, or any registrant or respondent fails to appear before the committee pursuant to notice served upon him, or fails to appear at any hearing of which he has notice, the committee may forthwith proceed as though such person had filed his complaint, answer, or demand for a hearing as the case may be. The committee may take such other action, with or without a hearing, as the committee deems proper, insofar as the person in default is concerned.

61. Findings of Fact. The committee shall not be required to make findings of fact or state its reasons or conclusions for any action taken by it, but may do so if it deems proper.

62. Finality of Committee's Action. The committee will not entertain any charge in a verified complaint or any demand for a hearing or other application to the committee upon any subject on which the committee has acted after a hearing pursuant to these Rules, except on the committee's own motion.

The fact that the name of a person who has filed as legislative advocate agreeably to Government Code Section 9906 does not appear on the foregoing list means no more than that it has not been included because of some technical defect or deficiency in the papers on file, which can be corrected when the deficiency is called to the registrant's attention. It is the intention of the committee to give all registrants notice and an opportunity to correct technical defects.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
F. PRESLEY ABSHIRE  
BURT W. BUSCH  
FRED WEYBRET  
EARL D. DESMOND

#### LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL  
SACRAMENTO, JANUARY 13, 1953

*Hon. Goodwin J. Knight, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 204, adopted June 19, 1951, the Senate Interim Committee on the Education and Rehabilitation of Handicapped Children and Adults herewith submits its report.

Due to the limitation of the funds made available, the committee has limited its study to specific problems within the scope of the resolution. As indicated in this report, many of the problems presented to the committee require further study, and many related problems were excluded from the committee's agenda.

The committee wishes to express its appreciation to the Department of Education and members of its staff for their cooperation.

Respectfully submitted,

JAMES J. McBRIDE, Chairman  
HUGH P. DONNELLY, Vice Chairman  
JESS R. DORSEY



**Motion to Print Report**

Senator Powers moved that the letter of transmittal be printed in the Journal, and the report submitted by the Committee on the Education and Rehabilitation of Handicapped Children and Adults be printed in the Appendix to the Journal, and that 3,000 additional copies be printed for distribution.

Motion carried.

**RESOLUTIONS**

The following resolution was offered:

By Senator Miller:

**Senate Resolution No. 27**

Relative to the creation of the Senate Special Committee on Civilian Defense

WHEREAS, The problem of protecting civilian lives and property in this State from enemy attack is of paramount importance to this Legislature; and

WHEREAS, The enactment of effective legislation on civilian defense requires an understanding of resources of the federal, state and local governments available for use in protecting civilian lives and property; and

WHEREAS, Federal plans and legislation should be studied in order that the civilian defense program for this State will be correlated with the national program; now, therefore, be it

*Resolved by the Senate of the State of California, as follows:*

1. The Senate Special Committee on Civilian Defense is hereby created and authorized and directed to ascertain, study and analyze all facts relating to civil defense, disaster relief, civil and military services in connection therewith, federal legislation, resources, and plans for civil defense, state and local resources for civil defense, the most feasible means of providing financial support for civil defense, and the proper division of administrative and financial responsibility for civil defense between the state and local governments, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven members of the Senate appointed by the Rules Committee thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report before final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The members of the committee and members of the committee's staff are authorized to do such traveling outside the State as is necessary to accomplish the purposes for which the committee has been created.

7. The sum of ----- dollars (\$-----) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 477:** By Senator O'Gara—An act to amend Section 6060.8 of the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

**Senate Bill No. 478:** By Senator O'Gara—An act to add Section 6060.1 to the Business and Professions Code, relating to examination for admission to the practice of law.

Referred to Committee on Judiciary.

**Senate Bill No. 479:** By Senators Hoffman and Thompson—An act to amend Section 1101 of the Agricultural Code, relating to egg standards.

Referred to Committee on Agriculture.

**Senate Bill No. 480:** By Senators Hoffman and Thompson—An act to amend Section 961 of the Agricultural Code, relating to seed potato certification.

Referred to Committee on Agriculture.

**Senate Bill No. 481:** By Senators Hoffman and Thompson—An act to amend Section 810.5 of, and to add Sections 810.51, 810.52, 810.53, and 810.54 to, the Agricultural Code, relating to asparagus standards.

Referred to Committee on Agriculture.

**Senate Bill No. 482:** By Senators Hoffman and Thompson—An act to amend Section 793 of the Agricultural Code, relating to standards for berries.

Referred to Committee on Agriculture.

**Senate Bill No. 483:** By Senators Hoffman and Thompson—An act to amend Section 785 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Referred to Committee on Agriculture.

**Senate Bill No. 484:** By Senators Donnelly and Hatfield—An act providing for the construction of facilities for use in the conduct of a turkey testing and improvement project and making an appropriation therefor.

Referred to Committee on Agriculture.

**Senate Bill No. 485:** By Senators Cunningham and Regan—An act to amend Section 403 of the Vehicle Code, relating to liability to guests in vehicles.

Referred to Committee on Judiciary.

**Senate Bill No. 486:** By Senators Cunningham and Regan—An act to add Section 163.5 to the Civil Code, relating to recoveries for personal injuries.

Referred to Committee on Judiciary.

**Senate Bill No. 487:** By Senator Way—An act to amend Section 958 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 488:** By Senator Erhart—An act to amend Sections 18051 and 18057 of, and to repeal Section 18053 of, the Education Code, relating to school district contracts.

Referred to Committee on Education.

**Senate Bill No. 489:** By Senator Parkman—An act to add Sections 14075.1, 14075.2, and 14075.3 to the Health and Safety Code, relating to fire protection districts in unincorporated areas.

Referred to Committee on Local Government.

**Senate Bill No. 490:** By Senator Gibson—An act to amend Section 79.48 of the Code of Civil Procedure, relating to salary of superior court judges in the County of Solano.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 491:** By Senator Gibson—An act to amend Section 419 of the Education Code, relating to salary of the superintendent of schools of a county of the nineteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 492:** By Senator Gibson—An act to amend Section 3431 and to repeal Section 3432.1 of the Welfare and Institutions Code, relating to the residence requirements for aid to the partially self-supporting blind residents.

Referred to Committee on Social Welfare.

**Senate Bill No. 493:** By Senator Gibson—An act to amend Section 1 of Chapter 1107 of the Statutes of 1951, relating to the number and compensation of the judges, officers and attaches of the municipal court in a district embracing the City of Vallejo.

Referred to Committee on Local Government.

**Senate Bill No. 494:** By Senator Gibson—An act to amend Section 28119 of the Government Code, relating to salaries of officers in counties of the nineteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 495:** By Senator Williams—An act to add Section 450.2 to the Fish and Game Code, relating to the wasting of game birds or mammals.

Referred to Committee on Fish and Game.

**Senate Bill No. 496:** By Senator Williams—An act to add Chapter 3 to Part 1 of Division 4 of the Fish and Game Code, relating to the licensing and regulating of fishing and hunting guides.

Referred to Committee on Fish and Game.

**Senate Bill No. 497:** By Senator Williams—An act to amend Sections 35401 and 35626 of the Water Code, relating to powers of water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 498:** By Senator Williams—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 499:** By Senator Williams—An act to amend Section 1106 of the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

**Senate Bill No. 500:** By Senator Williams—An act to amend Section 1012 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 501:** By Senator Williams—An act to amend Section 432.5 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 502:** By Senator Williams—An act to amend Sections 407, 1201.5, and 1280 of the Fish and Game Code, relating to licenses, deer tags and pheasant tags.

Referred to Committee on Fish and Game.

**Senate Bill No. 503:** By Senator Williams—An act to amend Section 1342 of the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game.

**Senate Bill No. 504:** By Senator O'Gara—An act to add Section 12264 to the Government Code, relating to microfilming and disposition of articles of incorporation and other corporate documents and records by the Secretary of State, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 505:** By Senator O'Gara—An act to amend Section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," (Statutes of 1923, approved June 13, 1923), to exclude liability in cases of defective sidewalk areas.

Referred to Committee on Local Government.

**Senate Bill No. 506:** By Senator Harold T. Johnson—An act to amend Section 28139 of the Government Code, relating to salaries of officers of counties of the thirty-ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 507:** By Senator Harold T. Johnson—An act to amend Section 28131 of the Government Code, relating to salaries of officers of counties of the thirty-first class.

Referred to Committee on Local Government.



**Senate Bill No. 508:** By Senator Harold T. Johnson—An act to amend Section 28156 of the Government Code, relating to salaries of officers of counties of the fifty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 509:** By Senator Harold T. Johnson—An act to add Section 66v to the Code of Civil Procedure and Section 69607 to the Government Code, relating to the number of superior court judges in the County of Placer.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 510:** By Senator Harold T. Johnson—An act to amend Sections 150 and 152 of the Unemployment Insurance Act, relating to unemployment and compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 511:** By Senator Harold T. Johnson—An act to amend Section 201 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 512:** By Senator Harold T. Johnson—An act to amend Section 203 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 513:** By Senator Harold T. Johnson—An act to amend Section 205 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 514:** By Senator Harold T. Johnson—An act to amend Section 205 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 515:** By Senator Harold T. Johnson—An act to amend Section 205 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 516:** By Senator Harold T. Johnson—An act to amend Section 207 and to repeal Section 209.1 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 517:** By Senator Harold T. Johnson—An act to amend Sections 209 and 209.1 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 518:** By Senator Harold T. Johnson—An act to amend Section 451 of the Unemployment Insurance Act, relating to unemployment compensation disability.

Referred to Committee on Social Welfare.

**Senate Bill No. 519:** By Senator O'Gara—An act authorizing the dissolution of the Islais Creek Reclamation District.

Referred to Committee on Local Government.

**Senate Bill No. 520:** By Senator Cunningham—An act to amend Section 1 of Chapter 1228 of the Statutes of 1951, relating to the municipal court in a district embracing the City of San Bernardino.

Referred to Committee on Local Government.

**Senate Bill No. 521:** By Senator Cunningham—An act to amend Section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

Referred to Committee on Judiciary.

**Senate Bill No. 522:** By Senator Cunningham—An act to add Section 6503.2 to the Welfare and Institutions Code, relating to the granting of a right of way over state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 523:** By Senator Breed—An act to add Section 11531 to the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Local Government.

**Senate Bill No. 524:** By Senator Breed—An act to add Section 2103.1 to the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 525:** By Senator Thompson—An act to amend Section 2804 of the Revenue and Taxation Code, relating to the valuation of property for property tax purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 526:** By Senator Thompson—An act to amend Section 26472 of the Health and Safety Code, relating to adulterated foods.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 527:** By Senator Miller—An act to amend Sections 3053 and 3054 of, and to add Section 3056 to, the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 528:** By Senator Byrne—An act to amend Sections 461, 464, 464.5 and 736.12 of the Agricultural Code, relating to the serving and sale of market milk and to the determination of minimum prices for market milk.

Referred to Committee on Agriculture.

**Senate Bill No. 529:** By Senators Byrne, Erhart, Hoffman, Burns, and McCarthy—An act to amend Section 5091 of the Penal Code, relating to the State Correctional System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 530:** By Senator Harold T. Johnson—An act to add Section 170 to the Vehicle Code, relating to special license plates.

Referred to Committee on Transportation.

**Senate Bill No. 531:** By Senator Erhart—An act to amend Section 4137 of the Harbors and Navigation Code, relating to harbors.

Referred to Committee on Transportation.

**Senate Bill No. 532:** By Senators Hoffman, Thompson, Collier, Powers, and Cunningham—An act to amend Section 14256 of the Government Code, relating to state public works projects.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 533:** By Senator McBride—An act to amend Sections 254 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to the revealing of the identity of claimants of unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 534:** By Senator McBride—An act to amend Section 4 of Chapter 524 of the Statutes of 1945, relating to the operation of vending stands in public buildings by blind persons, and to the powers and duties of the Bureau of Vocational Rehabilitation in connection therewith, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 535:** By Senator Sutton—An act to appropriate funds from the State Highway Fund for construction of a bridge.

Referred to Committee on Transportation.

**Senate Bill No. 536:** By Senators O'Gara and Miller—An act to amend Section 9359.1 of the Government Code, relating to the retirement allowance of state officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 537:** By Senator Williams—An act to amend Sections 20527 and 20721 of the Water Code and to add Chapter 5 to Part 4, Division 11 of the Water Code, relating to irrigation district elections declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 538:** By Senator Williams—An act to amend Section 34153 of the Water Code, relating to California Water Districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 539:** By Senator Williams—An act to add Section 462 to the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 540:** By Senator Williams—An act to amend Section 6855 of the Public Resources Code, relating to the disposition of the proceeds of leases for the extraction of mineral deposits from certain state lands.

Referred to Committee on Natural Resources.

**Senate Bill No. 541:** By Senator Williams—An act to amend Section 1159 of the Fish and Game Code, relating to birds.

Referred to Committee on Fish and Game.

**Senate Bill No. 542:** By Senator Williams—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

Referred to Committee on Fish and Game.

**Senate Bill No. 543:** By Senator Williams—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, and 18 of, and to add Sections 16, 16.1, and 16.2 to, the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 544:** By Senators Williams and Hatfield—An act to amend Section 8550 of the Water Code, relating to the Reclamation Board.

Referred to Committee on Water Resources.

**Senate Bill No. 545:** By Senators Williams and Hatfield—An act to amend Sections 11401 and 11402 of the Water Code, relating to membership of the Water Project Authority.

Referred to Committee on Water Resources.

**Senate Joint Resolution No. 6:** By Senator Tenney—Relative to memorializing the President and the Congress of the United States to survey the nature, extent and efficacy of the participation to the United States in the United Nations.

Referred to Committee on Rules.

**Senate Joint Resolution No. 7:** By Senators Burns and Hatfield—Relative to the drafting into the armed forces of dairy farm workers.

Referred to Committee on Agriculture.

**Senate Constitutional Amendment No. 4:** By Senator O'Gara—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XI thereof a new section to be numbered 21, relating to the procedure governing the filing of claims against the State and other public bodies.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 5:** By Senator Cunningham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.



**Senate Constitutional Amendment No. 6:** By Senator Byrne—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4c of Article VI thereof, relating to the transfer of cases between the Supreme Court and the district courts of appeal and the time to be allowed for hearings or rehearings to be considered by the Supreme Court.

Referred to Committee on Judiciary.

**Senate Concurrent Resolution No. 19:** By Senators Cunningham, Brown, and Regan—Relative to hunting in state parks.

Referred to Committee on Natural Resources.

**Senate Concurrent Resolution No. 20:** By Senator Williams—Relative to the continuance of the Joint Committee on Water Problems.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 1

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered to unfinished business file.

#### RECESS

At 11.50 a.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

#### REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 546:** By Senator Byrne—An act to amend Section 7604 of the Public Utilities Code, relating to the sounding of a locomotive bell or whistle.

Referred to Committee on Public Utilities.

**Senate Bill No. 547:** By Senator Busch—An act to amend Section 43.5(a) of the Civil Code relating to liability of peace officers.

Referred to Committee on Judiciary.

**Senate Bill No. 548:** By Senator Desmond—An act to amend Section 4353 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 549:** By Senator Desmond—An act to amend Section 4353 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 550:** By Senator Desmond—An act to amend Section 4006 of the Agricultural Code, relating to produce exchanges.

Referred to Committee on Agriculture.

**Senate Bill No. 551:** By Senator Desmond—An act to amend Section 4006 of the Agricultural Code, relating to produce exchanges.

Referred to Committee on Agriculture.

**Senate Bill No. 552:** By Senator Desmond—An act to amend Sections 8000, 8002, 8003, 8005, 8007, 8016, 8018, 8020, and 8022 of, and to add Section 8019 to, the Business and Professions Code, and to amend Sections 2, 3, 4, 6, 7, 8, 11, 12, 14, and 16 of Chapter 1679 of the Statutes of 1951, relating to the regulation of shorthand reporting.

Referred to Committee on Business and Professions.

**Senate Bill No. 553:** By Senator Desmond—An act to add Section 2436 to the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Business and Professions.

**Senate Bill No. 554:** By Senator Collier—An act amending Section 31641 of, and adding Sections 31470.7, 31478, 31479, 31563, 31641.1, 31641.2, 31641.3, 31641.4, 31641.6, 31641.7, 31641.8, and 31641.9 to the Government Code, relating to retirement systems.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 555:** By Senator Collier—An act to amend Section 2842 of the Elections Code, relating to county central committees.

Referred to Committee on Elections.

**Senate Bill No. 556:** By Senator Collier—An act to amend Section 28153 of the Government Code and Section 453 of the Education Code, relating to compensation for public services in counties of the fifty-third class.

Referred to Committee on Local Government.

**Senate Bill No. 557:** By Senator Collier—An act to amend Section 79.8 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in and for Del Norte County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 558:** By Senators McCarthy and Miller—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Referred to Committee on Transportation.

**Senate Bill No. 559:** By Senator McCarthy—An act to add Chapter 18 to Part 3 of Division 16 of the Streets and Highway Code, creating a debt or debts, liability or liabilities, through the assumption of bonds of bridge and highway districts, defining the powers and duties of state officers in respect to the administration of the provisions hereof, providing ways and means for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and providing that no tax shall be levied under Chapters 11 and 16 of Part 3 of Division 16 of the Streets and Highways Code for the payment of the interest or principal of the outstanding bridge and highway district bonds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1954.

Referred to Committee on Transportation.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 560:** By Senator McCarthy—An act to amend Section 66k of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 561:** By Senator McCarthy—An act to add Section 18596 to the Government Code, relating to employees of the Golden Gate Bridge and Highway district.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 562:** By Senator McCarthy—An act to amend Sections 27281a and 27300a of, and to add Section 27306 to, the Streets and Highways Code, relating to bridge and highway districts and the reimbursing of counties constituting such districts for taxes raised therein.

Referred to Committee on Transportation.

**Senate Bill No. 563:** By Senator McCarthy—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Referred to Committee on Local Government.

**Senate Bill No. 564:** By Senator McCarthy—An act to amend Sections 27165, 27171, 27280, 27281, and 27281a of the Streets and Highways Code, relating to the fixing of tolls for the use of facilities of travel constructed by bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 565:** By Senators McCarthy and Hoffman—An act to add Chapter 2.5 to Division 8 of the Elections Code, relating to the marking of ballots.

Referred to Committee on Elections.

**Senate Bill No. 566:** By Senator Harold T. Johnson—An act to amend Section 7702 of the Education Code, relating to the State Allocation Board.

Referred to Committee on Education.

**Senate Bill No. 567:** By Senator Regan—An act to amend Section 29484 of the Government Code and Section 7204 of the Education Code, relating to money received from the United States from forest reserve revenues.

Referred to Committee on Local Government.

**Senate Bill No. 568:** By Senators Ed. C. Johnson and Busch—An act to add Chapter 3.5 to Division 1 of the Fish and Game Code, relating to damage caused by deer, establishing a fund in the State Treasury, and providing for loans to landowners for the purpose of preventing such damage and making an appropriation.

Referred to Committee on Fish and Game.

**Senate Bill No. 569:** By Senator Dilworth—An act to add Section 31031 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 570:** By Senators Dilworth and Cunningham—An act to add Section 2006.1 to, and to amend Sections 2008, 2010, and 2111 of, the Streets and Highways Code, relating to the appointment and compensation of county road commissioners.

Referred to Committee on Local Government.

**Senate Bill No. 571:** By Senator Dilworth—An act to amend Section 28114 of the Government Code, relating to the compensation of the county officials.

Referred to Committee on Local Government.

**Senate Bill No. 572:** By Senators Dilworth, Desmond, and Powers—An act to add Article 4 to Chapter 3 of Division 4 of the Education Code, relating to the authorization of Bible reading in the public schools.

Referred to Committee on Education.

**Senate Bill No. 573:** By Senator Busch—An act to amend Sections 19101 and 19103 of, and to repeal Section 19102 of, the Education Code, relating to county school library service.

Referred to Committee on Education.

**Senate Bill No. 574:** By Senator Thompson—An act to repeal Sections 73394, 73395, 74044, and 74045 of, and to add Sections 73394 and 74044 to, the Government Code, relating to the marshal of municipal courts in Santa Clara County.

Referred to Committee on Local Government.

**Senate Bill No. 575:** By Senator Thompson—An act to add Sections 6527, 6527.1, 6527.5, 6528, 6534.1, 6534.2, 6534.3, 6534.4, 6534.5, 6534.6, 6550.5, 6550.6, 6627.5, and 6627.6 to, and to amend Section 6630 of, the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.



**Senate Bill No. 576:** By Senator Thompson—An act to amend Section 6509 of, and to add Section 6595 to, the Business and Professions Code, relating to the regulation of barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 577:** By Senator Collier—An act to amend Section 155 of the Vehicle Code, relating to display of registration cards.

Referred to Committee on Transportation.

**Senate Bill No. 578:** By Senator Collier—An act to amend Section 164 of the Vehicle Code, relating to renewal of registration of motor vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 579:** By Senator Collier—An act to amend Sections 750 and 752 of the Vehicle Code, relating to motor vehicles used by the California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 580:** By Senator Collier—An act to add Division 2B and Section 451.5 to, and to amend Sections 511.1, 511.2, 512.2, and 516 of, the Vehicle Code, relating to operation of vehicles on public highways.

Referred to Committee on Transportation.

**Senate Bill No. 581:** By Senator Collier—An act to amend Sections 751 and 752 of, and to add Section 517 to the Vehicle Code, relating to the use of radar equipment by the California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 582:** By Senators Williams and Hatfield—An act to amend Section 3 of the State Water Resources Act of 1945 (Chapter 1514 of the Statutes of 1945), relating to the State Water Resources Board.

Referred to Committee on Water Resources.

**Senate Bill No. 583:** By Senators Williams and Hatfield—An act to amend Section 20023 of, and to add Article 7 to Chapter 1, Division 10 of, the Water Code, relating to the Districts Securities Commission.

Referred to Committee on Water Resources.

**Senate Bill No. 584:** By Senators Williams and Hatfield—An act to add Division 10.5 to, and to repeal Chapter 2 of Part 6, Division 11 of, the Water Code, relating to state administration of water resources.

Referred to Committee on Water Resources.

**Senate Bill No. 585:** By Senators Williams and Hatfield—An act to amend Sections 20016 and 20019 of the Water Code, relating to membership of the California District Securities Commission.

Referred to Committee on Water Resources.

**Senate Bill No. 586:** By Senators Parkman and O'Gara—An act to add Division 3.5, the Street and Highway Bond Act of 1953, to the Streets and Highways Code, relating to the issuance and sale of bonds to finance the immediate construction of county roads and city streets, such bonds to be payable solely from certain portions of the State Highway Fund and Highway Users Tax Fund, and authorizing the immediate expenditure of the proceeds from the sale of such bonds for the construction of such roads and streets.

Referred to Committee on Transportation.

**Senate Bill No. 587:** By Senator Mayo—An act to add Section 31050 to the Water Code, relating to county water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 588:** By Senator Mayo—An act to repeal Sections 650 and 659 of, and to add Section 651.1 to, the Fish and Game Code, relating to salmon, and declaring the urgency thereof.

Referred to Committee on Fish and Game.

**Senate Bill No. 589:** By Senator Mayo—An act amending Section 30748 of the Water Code, relating to county water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 590:** By Senator McBride—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 591:** By Senator McBride—An act providing for the constitution of the municipal court in the Oxnard-Port Hueneme judicial district and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

**Senate Bill No. 592:** By Senator McBride—An act to add Section 20862.5 to, to amend sections 20865, 20866, 20867, and 20868 of, and to repeal section 20861 of, the Business and Professions Code, relating to tank vehicles.

Referred to Committee on Business and Professions.

**Senate Bill No. 593:** By Senator McBride—An act making an appropriation to enable the University of California to plan a rehabilitation facility as part of the medical school on its Los Angeles campus and a service unit on the C. and H. Tract.

Referred to Committee on Education.

**Senate Bill No. 594:** By Senator McBride—An act to amend Section 2073 of, and to add Section 2074.6 to, the Insurance Code, relating to the standard form fire insurance policy.

Referred to Committee on Financial Institutions.

**Senate Bill No. 595:** By Senator Brown—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 596:** By Senator Brown—An act to add Section 12264 to the Government Code, relating to destruction of articles of incorporation and other corporate documents and records by the Secretary of State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 597:** By Senator Brown—An act to amend Section 16403 of the Government Code, relating to revolving funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 598:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to repeal Sections 2734, 2827, and 2828 of, and to amend Sections 2708, 2718, 2729, 2733, 2736.5, 2738, 2741, 2811, and 2815 of, and to add Sections 2732.1 and 2733.1 to, the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Business and Professions.

**Senate Bill No. 599:** By Senators Millers, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Section 2873.5 of the Business and Professions Code, relating to vocational nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 600:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Sections 2871, 2892, and 2895 of the Business and Professions Code, relating to vocational nurses, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 601:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Sections 2851 and 2855 of the Business and Professions Code, relating to vocational nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 602:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Sections 2866, and 2878 of the Business and Professions Code, relating to the practice of vocational nursing.

Referred to Committee on Business and Professions.

**Senate Bill No. 603:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Section 2866 of the Business and Professions Code, relating to vocational nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 604:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Section 2873 of the Business and Professions Code, relating to vocational nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 605:** By Senators Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Section 2734 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Business and Professions.

**Senate Bill No. 606:** By Senators, Miller, Harold T. Johnson, McCarthy, Way, and Thompson—An act to amend Section 2761 of, and to add Sections 2762, 2763, and 2764 to, the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Business and Professions.

**Senate Bill No. 607:** By Senator Hoffman—An act to amend Section 18671 of the Business and Professions Code, relating to amateur boxing contests.

Referred to Committee on Business and Professions.

**Senate Bill No. 608:** By Senator Hoffman—An act to amend Section 13050 of the Water Code, relating to water pollution control boards.

Referred to Committee on Water Resources.

**Senate Bill No. 609:** By Senator Miller—An act to add Section 57.8 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 610:** By Senator Miller—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 611:** By Senator Miller—An act to amend Section 55 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 612:** By Senator Miller—An act to add Section 54.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 613:** By Senator Miller—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.



**Senate Bill No. 614:** By Senator Miller—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 615:** By Senator Miller—An act to repeal Section 52.6 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 616:** By Senator Miller—An act to amend Section 11 and Section 44.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 617:** By Senator Miller—An act to amend Section 1 and Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 618:** By Senator Donnelly—An act to amend Sections 19800 and 19803 of the Business and Professions Code, relating to weights of bread.

Referred to Committee on Business and Professions.

**Senate Bill No. 619:** By Senator Donnelly—An act to amend Section 12706 of, and to add Section 12707.5 to, the Business and Professions Code, relating to public weighmaster weight certificates.

Referred to Committee on Business and Professions.

**Senate Bill No. 620:** By Senator Donnelly—An act to add Section 12606.1 to, and to amend Section 12608 of, the Business and Professions Code, relating to commodities in containers.

Referred to Committee on Business and Professions.

**Senate Bill No. 621:** By Senator Donnelly—An act to amend Section 12501 of, and to add Sections 12518 and 12519 to, the Business and Professions Code, relating to weighing or measuring instruments and the sealing thereof.

Referred to Committee on Business and Professions.

**Senate Bill No. 622:** By Senator Donnelly—An act to amend Section 12201 of, and to add Sections 12201.1, 12201.2, and 12207 to, the Business and Professions Code, relating to sealers of weights and measures.

Referred to Committee on Business and Professions.

**Senate Bill No. 623:** By Senator Donnelly—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Referred to Committee on Local Government.

**Senate Bill No. 624:** By Senator Cunningham—An act to provide for the transfer of certain documents to the State Lands Commission with respect to sales of tidelands in San Francisco Bay pursuant to Chapter 543 of the Statutes of 1867-68.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 625:** By Senator Cunningham—An act to amend Section 23100 of the Government Code, relating to the boundaries of the counties of the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 626:** By Senator Cunningham—An act to add Section 6221 to the Public Resources Code, relating to state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 627:** By Senator Cunningham—An act to repeal Chapter 81 of the Statutes of 1897, relating to the relinquishing to the United States of America the title of this State to certain lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 628:** By Senator Cunningham—An act to amend Section 5 of Chapter 1307 of the Statutes of 1947, and to amend Section 8813 of the Public Resources Code, relating to the California Coordinate System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 629:** By Senator Cunningham—An act to add Section 6463 to the Public Resources Code, relating to mineral claims on state-owned land.

Referred to Committee on Natural Resources.

**Senate Bill No. 630:** By Senator Miller—An act to amend Section 1676 of the Insurance Code, relating to insurance agents.

Referred to Committee on Financial Institutions.

**Senate Bill No. 631:** By Senator Desmond—An act to amend Section 33568 of the Health and Safety Code, and to repeal Section 33561 thereof, relating to community redevelopment.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 632:** By Senator Desmond—An act to amend Section 139 of the Civil Code relating to the payment of child support.

Referred to Committee on Judiciary.

**Senate Bill No. 633:** By Senator Breed—An act to add Section 10052.5 to the Business and Professions Code, relating to the terms of the members of the Real Estate Board.

Referred to Committee on Business and Professions.

**Senate Bill No. 634:** By Senator Collier—An act to amend Section 23242 of the Water Code, and to add Section 23242.5 thereto, relating to irrigation district assessments, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 635:** By Senators Mayo and Harold T. Johnson—An act adding Section 30.5 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations, and declaring the urgency thereof, to take effect immediately," declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 636:** By Senators Mayo and Harold T. Johnson—An act adding Section 24.5 to the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 637:** By Senator Thompson—An act to amend Section 20543 of the Education Code, relating to state colleges.

Referred to Committee on Education.

**Senate Bill No. 638:** By Senator Thompson—An act to amend Section 20302 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 639:** By Senator Grunsky—An act to create a water conservation district to be called San Benito County Water Conservation and Flood Control District; to provide for the acquisition, retention and reclaiming of drainage, storm, flood and other waters; to provide for the protection of water courses, watersheds, public highways, life and property from damage or destruction from flood and storm waters; to authorize the incurring of indebtedness, the issuance and sale of bonds and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 640:** By Senator Grunsky—An act to amend Section 17717 of the Revenue and Taxation Code, and to add Section 17717.5 thereto, relating to the deduction of capital losses for personal income tax purposes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 641:** By Senator Grunsky—An act to amend Section 625 of the Code of Civil Procedure, relating to general and special verdicts.

Referred to Committee on Judiciary.

**Senate Bill No. 642:** By Senator Grunsky—An act to add Section 605.5 to the Probate Code and to add Section 14501.5 to the Revenue and Taxation Code, relating to inheritance tax and probate appraisers.

Referred to Committee on Judiciary.

**Senate Bill No. 643:** By Senator Grunsky—An act to add Section 17202.1 to the Financial Code, relating to surety bonds of escrow agents under the Escrow Law.

Referred to Committee on Judiciary.

**Senate Bill No. 644:** By Senator Grunsky—An act to amend Sections 17003, 17207, 17406, 17414, and 17613 of, and to add Sections 17210.1, 17210.2, 17403.1, 17413.1, 17417, and 17418 to, the Financial Code, relating to escrow agents under the Escrow Law.

Referred to Committee on Judiciary.

**Senate Bill No. 645:** By Senator Grunsky—An act to add Sections 17403.2 and 17403.3 to the Financial Code, relating to escrow instructions to escrow agents under the Escrow Law.

Referred to Committee on Judiciary.

**Senate Bill No. 646:** By Senator Grunsky—An act to amend Section 14254 of the Financial Code, relating to the issuance of a certificate to engage in business as a credit union, under the Credit Union Law.

Referred to Committee on Judiciary.

**Senate Bill No. 647:** By Senator Grunsky—An act to add Sections 12224, 12300.2, 12301.1, 12307.1, 12312, and 12313 to, and to amend Sections 12002, 12205, and 12309 of, the Financial Code, relating to licensees under the Check Sellers and Cashers Law.

Referred to Committee on Judiciary.

**Senate Bill No. 648:** By Senator Grunsky—An act to add Section 12300.3 to the Financial Code, relating to trust accounts for licensees under the Check Sellers and Cashers Law.

Referred to Committee on Judiciary.

**Senate Bill No. 649:** By Senator Grunsky—An act to amend Sections 12214, 12220, 12222, and 12301 of the Financial Code, relating to fees under the Check Sellers and Cashers Law.

Referred to Committee on Judiciary.

**Senate Bill No. 650:** By Senator Grunsky—An act to add Sections 12301.2 and 12301.3 to, and amend Section 12200 of, the Financial Code, relating to the sale of checks, drafts, or money orders by licensees under the Check Sellers and Cashers Law.

Referred to Committee on Judiciary.



**Senate Bill No. 651:** By Senators Grunsky, Busch, and O'Gara—An act to amend Section 6060 of the Business and Professions Code, relating to licenses to practice law.

Referred to Committee on Judiciary.

**Senate Bill No. 652:** By Senator Grunsky—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 653:** By Senator Grunsky—An act to add Section 691.5 to the Code of Civil Procedure, relating to the payment of proceeds received from the execution of judgments.

Referred to Committee on Judiciary.

**Senate Bill No. 654:** By Senator Grunsky—An act to amend Section 305 of the Vehicle Code, relating to revocation of licenses of juvenile offenders to operate a motor vehicle.

Referred to Committee on Judiciary.

**Senate Bill No. 655:** By Senator Grunsky—An act to amend Section 257 of the Vehicle Code, relating to the issuance to juveniles of licenses to operate motor vehicles.

Referred to Committee on Judiciary.

**Senate Bill No. 656:** By Senator Grunsky—An act to amend Section 880 of the Welfare and Institutions Code, relating to transfer of juvenile traffic cases.

Referred to Committee on Judiciary.

**Senate Bill No. 657:** By Senator Grunsky—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to juvenile courts.

Referred to Committee on Judiciary.

**Senate Bill No. 658:** By Senator Desmond—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 659:** By Senator Grunsky—An act to amend Section 720 of the Welfare and Institutions Code, relating to juvenile traffic cases.

Referred to Committee on Judiciary.

**Senate Bill No. 660:** By Senator Grunsky—An act to add Article 2.5 to Chapter 2 of Part 1, Division 2, of the Welfare and Institutions Code, relating to juvenile traffic courts.

Referred to Committee on Judiciary.

**Senate Bill No. 661:** By Senator Grunsky—An act to add Section 644.5 to the Welfare and Institutions Code, relating to juvenile traffic cases.

Referred to Committee on Judiciary.

**Senate Bill No. 662:** By Senator Grunsky—An act to add Section 703 to the Welfare and Institutions Code, relating to juvenile traffic offenders.

Referred to Committee on Judiciary.

**Senate Bill No. 663:** By Senator Grunsky—An act to add Sections 700.5 and 700.6 to the Welfare and Institutions Code, relating to juvenile traffic offenders.

Referred to Committee on Judiciary.

**Senate Bill No. 664:** By Senator Grunsky—An act to amend Sections 700 and 825, and to add Section 700.5 to, the Welfare and Institutions Code, relating to juvenile traffic offenders.

Referred to Committee on Judiciary.

**Senate Bill No. 665:** By Senator Ed. C. Johnson—An act to amend Sections 260 and 268 of the Code of Civil Procedure, relating to officers and attaches of the superior court.

Referred to Committee on Judiciary.

**Senate Bill No. 666:** By Senator Ed. C. Johnson—An act to amend Sections 5050.1, 5050.8, and 5100 of the Welfare and Institutions Code, relating to the procedure for commitment of mentally ill persons.

Referred to Committee on Judiciary.

**Senate Bill No. 667:** By Senator Grunsky—An act to add Section 421.5 to the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 668:** By Senator Grunsky—An act to amend Sections 17712, 17717, 17719, 17721, 17722, 17724, and 17731 of the Revenue and Taxation Code, and to add Sections 17711.5, 17717.5, and 17724.5 thereto, relating to capital gains and losses for personal income tax purposes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 669:** By Senator Grunsky—An act to amend Section 108 of the Civil Code, relating to divorce.

Referred to Committee on Judiciary.

**Senate Bill No. 670:** By Senator Breed—An act to amend Section 6738 of the Business and Professions Code, relating to civil engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 671:** By Senator Breed—An act to amend Section 11013 of the Business and Professions Code, relating to subdivided lands.

Referred to Committee on Business and Professions.

**Senate Bill No. 672:** By Senator Breed—An act to amend Sections 11010, 11011, and 11015 of the Business and Professions Code, relating to subdivided lands.

Referred to Committee on Business and Professions.

**Senate Bill No. 673:** By Senator Breed—An act to amend Sections 10561, 10562, 10562.5, and 10562.6 of the Business and Professions Code, relating to mineral, gas, and oil licensees.

Referred to Committee on Business and Professions.

**Senate Bill No. 674:** By Senator Breed—An act to amend Sections 10301, 10302, 10302.5, and 10302.6 of the Business and Professions Code, relating to real estate regulations.

Referred to Committee on Business and Professions.

**Senate Bill No. 675:** By Senator Breed—An act to amend Sections 10176, 10177, 10177.5, and 10177.6 of, and to add Section 10101 to, the Business and Professions Code, relating to procedure for revoking, suspending or denying a real estate license.

Referred to Committee on Business and Professions.

**Senate Bill No. 676:** By Senators Busch, O'Gara, Tenney, and Desmond—An act to amend Sections 2466, 2468, 2469, and 2469.1 of the Civil Code, relating to the use of fictitious names.

Referred to Committee on Judiciary.

**Senate Bill No. 677:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to add Section 386.5 to the Code of Civil Procedure, relating to the dismissal of a mere stakeholder on affidavit and deposit.

Referred to Committee on Judiciary.

**Senate Bill No. 678:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 1013 of, and to add Section 1013.5 to, the Civil Code, relating to the removal of improvement from real property.

Referred to Committee on Judiciary.

**Senate Bill No. 679:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 1600 of the Probate Code, relating to requests for special notice of the disposition of property held by a guardian.

Referred to Committee on Judiciary.

**Senate Bill No. 680:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 296.42 of the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death or the order of death.

Referred to Committee on Judiciary.

**Senate Bill No. 681:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 360.5 of the Code of Civil Procedure relating to waivers of the statute of limitations.

Referred to Committee on Judiciary.

**Senate Bill No. 682:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 3440.1 of the Civil Code, relating to the transfer, sale or assignment of stock in trade, in bulk.

Referred to Committee on Judiciary.

**Senate Bill No. 683:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 1953i of the Code of Civil Procedure, relating to uniform photographic copies of business and public records as evidence.

Referred to Committee on Judiciary.

**Senate Bill No. 684:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Sections 1180 and 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of instruments.

Referred to Committee on Judiciary.

**Senate Bill No. 685:** By Senators Busch, O'Gara, Desmond, Tenney, and Way—An act to amend Section 1263 of the Civil Code, relating to contents of declaration of homestead.

Referred to Committee on Judiciary.

**Senate Bill No. 686:** By Senator Mayo—An act to amend Section 306.5 of the Unemployment Insurance Act, and to amend Section 3125 of the Unemployment Insurance Code, relating to the investment of funds in the Unemployment Compensation Disability Fund for the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Referred to Committee on Social Welfare.

**Senate Bill No. 687:** By Senator Erhart—An act to amend Section 79.40 of the Code of Civil Procedure, relating to the salary of the judge of the Superior Court in and for San Luis Obispo county.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 688:** By Senator Erhart—An act to appropriate money to pay a claim by the City of Pismo Beach against the State.

Referred to Committee on Finance.

**Senate Bill No. 689:** By Senator Erhart—An act to amend Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 690:** By Senator O'Gara—An act to amend Sections 30003, 30050, and 30058 of the Streets and Highway Code, relating to the California Toll Bridge Authority.

Referred to Committee on Transportation.

**Senate Bill No. 691:** By Senators Hoffman, Sutton, Thompson, Byrne, Ed. C. Johnson, McCarthy, Brown, and Hatfield—An act to amend Sections 902 and 903 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.



**Senate Bill No. 692:** By Senator Hoffman—An act to amend Section 57.7 of the Unemployment Insurance Act (Statutes of 1935, Chapter 352) and Section 1403 of the Unemployment Insurance Code, relating to the benefit rights of trainees.

Referred to Committee on Social Welfare.

**Senate Bill No. 693:** By Senator Hoffman—An act to add Sections 18711.5 and 18716 to the Business and Professions Code, relating to the payment of taxes on revenue received from boxing or wrestling contests, matches or exhibitions.

Referred to Committee on Business and Professions.

**Senate Bill No. 694:** By Senator Hoffman—An act to amend Section 215 of the Revenue and Taxation Code, relating to the "welfare exemption" in its application to property owned by veterans' organizations.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 695:** By Senator Hoffman—An act to add Section 981.6 to the Military and Veterans Code, relating to educational benefits for veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 696:** By Senator Hoffman—An act to add Section 19622.7 to the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 697:** By Senators Mayo, Breed, Tenney, O'Gara, Burns, and Kraft—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 698:** By Senators Breed, Tenney, O'Gara, Burns, and Kraft—An act authorizing the State Public Works Authority to construct state office buildings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 699:** By Senator Dilworth—An act to amend Section 27518 of the Water Code, relating to the distribution of assets in the dissolution of irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 700:** By Senator Dilworth—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Referred to Committee on Agriculture.

**Senate Bill No. 701:** By Senator Dilworth—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Referred to Committee on Agriculture.

**Senate Bill No. 702:** By Senator Dilworth—An act to add Section 981.14 to the Military and Veterans Code, relating to educational benefits for veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 703:** By Senator Coombs—An act authorizing the Director of Finance to quitclaim the interest of the State of California in and to a pipe line and easement in Napa County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 704:** By Senator Thompson—An act to add Section 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to use of highway funds for grade crossing separation or protection work on county roads and city streets.

Referred to Committee on Transportation.

**Senate Bill No. 705:** By Senator Desmond—An act to amend Section 4986 of, and to add Sections 2635 and 2636 to, the Revenue and Taxation Code, relating to taxes on property acquired by governmental agencies.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 706:** By Senator Desmond—An act to amend Sections 5473, 5473.4, and 5473.6, and to repeal Sections 5473.7, 5473.9, and 5473.10 of the Health and Safety Code, relating to assessments for sanitation and sewerage systems.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 707:** By Senator Desmond—An act to amend Sections 4651.4, 4655.2, 4656.4, and 4657, and to repeal Section 4657.4, of the Revenue and Taxation Code.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 708:** By Senator Breed—An act to add Section 9.5 to the Municipal and Justice Court Act of 1949 and Section 71180.5 to the Government Code, relating to notice of the appointment, election, death, removal or resignation of judges of municipal and justice courts.

Referred to Committee on Local Government.

**Senate Bill No. 709:** By Senators Mayo and Harold T. Johnson—An act to add Section 54129.5 to an act entitled "An act to add Article 4.5 to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government

Code, relating to state assistance for the restoration, repair, and reconstruction of public works damaged or destroyed by earthquakes, making an appropriation therefor, and declaring the urgency thereof," declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 710:** By Senator O'Gara—An act to amend Section 1732.6 of the Harbors and Navigation Code, and to amend Section 11551 and Section 11556 of the Government Code, relating to the salary of the Port Manager of the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 711:** By Senator O'Gara—An act to amend Section 2050 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 712:** By Senator O'Gara—An act to amend Section 1915 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 713:** By Senator O'Gara—An act to amend Section 1908 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 714:** By Senator O'Gara—An act to amend Section 2071 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 715:** By Senator O'Gara—An act to amend Section 2071 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 716:** By Senator O'Gara—An act to add Section 1732.8 to the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 717:** By Senator O'Gara—An act to add Sections 2001.4, 20017.4, 20602.4, 20602.45, 20603.4, 20604.4, 20750.45, and 20903.4 to the Government Code, relating to the State Employees' Retirement System in respect to harbor policemen employed by the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 718:** By Senator O'Gara—An act to amend Section 1915 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 719:** By Senator Hoffman—An act to amend Section 828.25 of the Agricultural Code, relating to fruit and vegetable standardization.

Referred to Committee on Agriculture.

**Senate Bill No. 720:** By Senator Breed—An act to amend Sections 1, 2, 3, 5, and 7 and repeal Section 4 of an act entitled "An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer," approved May 11, 1937 (Chapter 263, Statutes 1937), and to amend Section 48 of the Fish and Game Code, Section 1734 of the Labor Code, Section 2274 of the Public Resources Code, Section 11681 of the Health and Safety Code, Section 2455 of the Business and Professions Code, and Sections 68101, 68102, 68103, and 68104 of the Government Code, relating to the time and manner of reporting and transmitting fines and forfeitures in which the State has an interest.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 721:** By Senator Breed—An act to amend Sections 53679, 71381, and 71384 of the Government Code and Sections 116d and 116h of the Code of Civil Procedure, relating to a uniform accounting system for, and bank accounts of justice and municipal courts.

Referred to Committee on Local Government.

**Senate Bill No. 722:** By Senator McBride—An act making an appropriation to the Regents of the University of California for the planning of a rehabilitation facility as part of the School of Medicine at the University of California at Los Angeles.

Referred to Committee on Education.

**Senate Constitutional Amendment No. 7:** By Senator Miller—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV, relating to the Legislature.

Referred to Committee on Elections.

**Senate Constitutional Amendment No. 8:** By Senators McCarthy, Powers, and Hoffman—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to the initiative and referendum.

Referred to Committee on Elections.

**Senate Constitutional Amendment No. 9:** By Senator Collier—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Referred to Committee on Transportation.



**Senate Constitutional Amendment No. 10:** By Senators O'Gara and Parkman—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 21:** By Senator Powers—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Hold at desk.

**Senate Joint Resolution No. 8:** By Senators O'Gara, Tenney, Erhart, Breed, Miller, Harold T. Johnson, and Montgomery—Relative to granting the Territory of Hawaii statehood in the United States.

Referred to Committee on Elections.

#### NOTICE OF A MOTION TO AMEND THE STANDING RULES

Senator Powers gave notice that on the next legislative day in accordance with Rule 21 of the Standing Rules of the Senate he will move to amend Rule No. 12 as follows:

- (1) The membership of the Committee on Education is 11.
- (2) The membership of the Committee on Elections is 7.
- (3) The membership of the Judiciary Committee is 11.
- (4) The membership of the Committee on Military and Veterans Affairs is 11.
- (5) The membership of the Committee on Water Resources is 11.

#### ADJOURNMENT

At 4 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., January 14, 1953.

JOHN F. LEA, Minute Clerk

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## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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EIGHTH LEGISLATIVE DAY

TENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, January 14, 1953

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Montgomery, due to legislative business.

Senator Busch, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas Jackson of Los Angeles.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roy Gorgano and Howard Dallimore of Bakersfield.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Jennings and Willis G. Colburn, both of Riverside.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. H. Sugden, principal, Lila Percival, bus driver, and the following students of the Esparto Union Elementary School: Bennie Lott, Billy Grigsby, Tommy Reed, Kenneth Han, Gregory Evaro, David Podesta, Lloyd Jager, Bill Evett, Tony Hartman, Charles Parker, Dick Lopez, Rodney Martin, Don Errington, Raymond Crowder, Herschel Taylor, Imogene Tobin, Juanita Cole, Betty McDonald, Laura McDonald, Margaret Sanchez, Carolyn Michaelsen, Gladys Lucas, Janice James, Norma Gniech, Judy Wasson, Wanda Truitt, Janet Tharp, Virginia Garcia, Carmen Reyes, Hope Jaurige, Lucy Mata, Rozann Russell, Moreen Erreca, Mary Stephens, and Judy Bender.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jane Rummel, teacher, Eugene McCreary, curriculum assistant, and the following students of the McChesney Junior High School in Oakland: Norma Asmann, June Bender, Jack Blanco, Sandra Carson, Lowell Ellis, Sandra Finnie, Nancy Fletcher, Lydia Fredericks, Barbara Gearon, Georgia Gibeaut, Richard Griffin, Ronald Gruber, Nancy Holland, David Jayne, Lynn Kopke, Paul Lofholm, Judy Midgley, Melinda Moore, Margaret Mosher, Edward Murphy, Cappy Parr, Beverly Powell, Bill Pritchard, Suzanne Roberts, Mel Silverman, Adele Smigelow, Jack Solomon, Gail Thompson, Bonnie Trygstad, David Weichmann, Betty van Winkle, Gloria Young, Bill Alexander, David Anderson, Alfreda Arneson, Dennis Athayde, Janice Briner, Karen Brogden, Suzann Campbell, Martin Chan, Allen Degan, John Donlevy, Nancy Edwards, Celialu Enlow, Lexy Felds, Carol Figronid, Fred Frink, Carole Gordon, Andy Hopper, Barry Humphrey, Sandra Irvin, Ann Karren, Craig Knudsen, Peter Monson, Michael Murphy, Sharon Pedroni, Leslie Powers, Ray Randall, Pat Richardson, Ralph Rutherford, Ellen Smith, Esther Smith, Ronald Stenner, Carolyn Striplin, Gary Terzian, and Irla Turner.

On request of Senators Burns and Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. James D. Garibaldi of Los Angeles.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. M. A. Martin; Miss Ann Martin of Modesto, elected Secretary of State of the Y. M. C. A. Model Legislature, and Robert Babington of Modesto, General Secretary of Stanislaus County Y. M. C. A.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Luther E. Dubois of Woodland.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Dodd of Fresno.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dick Garrod of Saratoga.

On request of Senators O'Gara, Breed, and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Betty Witkin of Berkeley; Mrs. Patricia Mosser and Mrs. Bernard Brady of San Francisco; and Miss Ruth Dodd of Sacramento.



## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 9**—Relative to approving an amendment to the charter of the County of Sacramento, State of California, voted for and ratified by the qualified electors of said county at an election held therein on the fourth day of November, 1952;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1953, at 10 a.m.

POWERS, Chairman

## LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL

SACRAMENTO, January 6, 1953

*Hon. Goodwin J. Knight, President of the Senate*  
*Senate Chamber, State Capitol*  
*Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 181, read and adopted June 23, 1951, at the 1951 Regular Session of the Legislature, the Senate Interim Committee on Social Welfare submits a partial report with findings and recommendations on the administration of the public assistance appeals procedure of the State Department of Social Welfare.

The committee desired to conduct an objective study covering all aspects of the appeals procedure and for that purpose engaged the J. L. Jacobs Company, administrative and finance consultants of Los Angeles and Chicago, to conduct this survey.

We desire to express our appreciation for the cooperation and assistance extended by the officials and staff of the Department of Social Welfare, Legislative Auditor, Legislative Counsel, and the various county welfare administrators.

Respectfully submitted,

FRED WEYBRET, Chairman  
 CLYDE A. WATSON, Vice Chairman  
 F. PRESLEY ABSHIRE  
 R. R. CUNNINGHAM  
 ED. C. JOHNSON

## Motion to Print Report

Senator Weybret moved that letter of transmittal be printed in the Journal, and the partial report submitted by the Committee on Social Welfare be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

## RESOLUTIONS

The following resolutions were offered:

By Senator Montgomery:

## Senate Resolution No. 28

Relative to the retirement of Robert Roy Cunningham

WHEREAS, Robert Roy Cunningham has retired from public service after 16 years of devoted and useful service in the Legislature as Senator from the Twenty-seventh District, Kings County; and

WHEREAS, Senator Cunningham was unusually attentive and faithful in the performance of his obligations to the people of his county and of the State of California; and

WHEREAS, He set the highest example of character, conduct, patriotism, and loyalty both in his private life and in his professional capacity; and

WHEREAS, Senator Cunningham is regarded as among the highest and most esteemed Members of the Legislature during the entire history of California; now, therefore, be it

*Resolved by the Senate of the State of California*, That the retirement of Senator Cunningham has been felt keenly by his colleagues and friends who worked with him in the interests of California for so many years and that by this resolution they extend their best wishes with the hope that he will enjoy continued health, happiness and contentment; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to Hon. Robert Roy Cunningham.

Resolution read, and on a motion of Senator Montgomery, adopted.

By Senator Hulse:

**Senate Resolution No. 29**

Relative to the continuance of the Senate Committee on State and Local Taxation

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on State and Local Taxation, created by Senate Resolution No. 190 of the 1951 Regular Session, is continued as a Senate committee at this 1953 Regular Session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Burns:

**Senate Resolution No. 30**

Relative to the continuance of the Senate Fact Finding Committee on Un-American Activities

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact Finding Committee on Un-American Activities created by Senate Resolution No. 127 of the 1951 Regular Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Tenney:

**Senate Resolution No. 31**

Relating to the passing of Justin W. Gillette

WHEREAS, Justin W. Gillette, a person of unusual attainments, departed into the realms beyond this world on December 9, 1952; and

WHEREAS, "Chess" Gillette, as he was affectionately called, was born at Kearney, Nebraska, January 6, 1881, and devoted his life to the music profession and was a pioneer in the handling of the affairs of musicians in the Motion Picture Studios; and

WHEREAS, "Chess" Gillette was an important figure in the development of the American Federation of Musicians, having served as President of Los Angeles Local 47 from 1925 to 1933 and as Representative of the Federation in the Motion Picture Studios from 1933 until his passing; and

WHEREAS, "Chess" Gillette was active in civic affairs, having served on the City of Los Angeles Civil Service Commission for eight years, until forced to resign because of ill health; and

WHEREAS, His character and private life was without blemish; honest — honorable — he had an unflinching sense of right and justice and always maintained them without fear; now, therefore, be it

*Resolved by the Senate of the State of California, That the Senate of the State of California by this resolution desires to pay tribute to "Chess" Gillette and to convey to his bereaved wife its sense of sympathy in her loss; and be it further*

*Resolved, That the Secretary of the Senate be, and he is hereby instructed, to prepare suitably engrossed copies of this resolution for Mrs. Gillette, the widow of Justin W. Gillette, Los Angeles Local 47, American Federation of Musicians, and the American Federation of Musicians, New York City.*

Resolution read, and adopted on a motion of Senator Tenney.

By Senator Collier :

**Senate Resolution No. 32**

Relative to the creation of the Senate Interim Committee on  
Highways, Streets, and Bridges

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of \$200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local governments; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of \$3,000,000,000, but only \$1.4 billion will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights-of-way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature has considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but further study is necessary and should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, during the course of its inquiries, found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it therefore appears that the Legislature should have additional information on this subject in view of the fact that almost \$50,000,000 is apportioned annually by the State to counties for road purposes; and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like,



are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Highways, Streets, and Bridges is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights of way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways.

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the over-all development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.



4. The committee shall consist of seven Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

5. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1955 Regular Session, with authority to file its final report not later than the 15th day after the end of the constitutional recess. The time for filing the final report shall not be extended.

6. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

7. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To employ an executive secretary, engineers, auditors, and other personnel, as it deems necessary to carry out the purposes for which it is created.

(c) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(d) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpoenas, orders, and other process issued by the committee.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

8. The committee and its employees may meet and act any place within the State or within the United States.

9. The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senators Abshire, Dorsey, and Desmond:

#### **Senate Resolution No. 33**

Relative to the continuance of the Senate Interim Committee  
on Administrative Regulations

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Administrative Regulations created by Senate Resolution No. 180 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

**MOTION TO AMEND STANDING RULES OF THE SENATE**

Pursuant to the notice of motion given on January 13, 1953, Senator Powers moved that Rule No. 12 of the Standing Rules be amended as follows:

- (1) The membership of the Committee on Education is 11.
  - (2) The memberships of the Committee on Elections is 7.
  - (3) The membership of the Judiciary Committee is 11.
  - (4) The membership of the Committee on Military and Veterans Affairs is 11.
  - (5) The membership of the Committee on Water Resources is 11.
- The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.  
**NOES**—None.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21**

**Senate Concurrent Resolution No. 21**—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE**  
**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 47**—An act to amend Section 7431.1 of the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Ward, Way, Weybret, Williams—29.  
**NOES**—Senator Desmond—1.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Thompson, Ward, Way, Weybret, Williams—29.

**NOES**—Senator Desmond—1.

Bill ordered transmitted to the Assembly.

## UNFINISHED BUSINESS

### Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 1**—Relative to Joint Rules of the Senate and Assembly.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 1?

#### Amendment No. 1

On page 7, line 29, of said resolution, as adopted in the Senate, on January 5, 1953, after "amendments", insert "Two copies of such", and strike out "Such".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 1 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, Williams—30.

**NOES**—None.

Above resolution ordered enrolled.

## RESOLUTIONS

The following resolution was offered:

By Senators O'Gara, Parkman, McCarthy, Breed, and Dorsey:

#### Senate Resolution No. 34

Relating to the continuance of the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems created by Senate Resolution 194 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the money heretofore made available to the committee, the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Concurrent Resolution No. 22:** By Senators O'Gara, Way, Harold T. Johnson, Montgomery, McCarthy, Breed, Mayo, Thompson, Abshire, Gibson, Coombs, Regan, Burns, Hoffman, Collier, Brown, Grunsky, Powers, Hatfield, Erhart, Byrne, Ed. C. Johnson, Parkman, Sutton, Desmond, Berry, Weybret, and Busch—Relative to the one hundredth anniversary of the founding of the Pacific Gas and Electric Company.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 22, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 22**

**Senate Concurrent Resolution No. 22.**—Relative to the one hundredth anniversary of the founding of the Pacific Gas and Electric Company.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 12.**—An act to repeal Section 7000.3 of, and to add Section 7000.3 to, the Education Code, relating to the support of the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Donnelly.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—30.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.



INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 723:** By Senator Way—An act making an appropriation for the establishment of a fish hatchery on Cedar Creek.

Referred to Committee on Fish and Game.

**Senate Bill No. 724:** By Senator Weybret—An act to add Sections 2600.6 and 2600.7 to the Health and Safety Code, relating to the control of tuberculosis and communicable disease.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 725:** By Senator Busch—An act to amend Section 1184 of the Fish and Game Code, relating to dog training and field trials.

Referred to Committee on Fish and Game.

**Senate Bill No. 726:** By Senator Busch—An act to amend Section 1171.1 of the Fish and Game Code, relating to dog training.

Referred to Committee on Fish and Game.

**Senate Bill No. 727:** By Senator Thompson—An act to amend Section 6537 of the Business and Professions Code, relating to barbers.

Referred to Committee on Business and Professions.

**Senate Bill No. 728:** By Senator Harold T. Johnson—An act to amend Sections 3110, 3402, 3403, 3423, 3426, and 3429 and to amend and renumber Sections 3410, 3411, 3418, and 3420 of the Public Resources Code, to repeal Sections 3405, 3406, 3407, 3408, 3409, 3412, 3413, 3414, 3415, 3416, 3417, 3419, 3421, 3422, 3424, 3425, and 3428 thereof, and to add Sections 3407, 3408, 3409, 3410, 3415, 3416, 3417, 3418, 3419, 3420, and 3428 thereto, relating to oil and gas.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 729:** By Senator Dilworth—An act to add Section 42 to the Insurance Code, relating to authority to transact insurance business in this State.

Referred to Committee on Financial Institutions.

**Senate Bill No. 730:** By Senator Dilworth—An act to add Section 18237 to the Education Code, relating to the use and occupancy of school buildings.

Referred to Committee on Education.

**Senate Bill No. 731:** By Senator Dilworth—An act to repeal and add Article 1 of Chapter 2 of Division 3 of, and Chapter 15 of Division 3 of; to repeal Article 4 of Chapter 16 of Division 3 of; and to add Article 1 to Chapter 2 of Division 3 of, and Chapter 15 to Division 3 of, the Education Code, all relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 732:** By Senator Weybret—An act to amend Sections 104.1 and 104.5 of, and to add Sections 104.7 to 104.9, inclusive, to the Welfare and Institutions Code, relating to appeals by applicants for or recipients of old age security aid, and to the establishment of an appeals division in the State Department of Social Welfare.

Referred to Committee on Social Welfare.

**Senate Bill No. 733:** By Senators Burns, Powers, Hatfield, Regan, Byrne, and Murdy—An act to add Sections 5210, 5211, 5291, 5292, and 5293 to the Business and Professions Code, relating to regulation of outdoor advertising.

Referred to Committee on Business and Professions.

**Senate Bill No. 734:** By Senators Burns, Powers, Hatfield, Regan, Byrne, Murdy, and Berry—An act to amend Section 5227 of the Business and Professions Code, relating to the regulation of outdoor advertising.

Referred to Committee on Business and Professions.

**Senate Bill No. 735:** By Senator Burns—An act to amend Section 79.10 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 736:** By Senator Burns—An act to amend Section 304.3 of the Code of Civil Procedure and Sections 68090 and 68091 of the Government Code, relating to fees of interpreters and translators.

Referred to Committee on Judiciary.

**Senate Bill No. 737:** By Senators Burns, Dilworth, Coombs, and Desmond—An act to amend Section 9411 of the Government Code, relating to legislative committees.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 738:** By Senator Burns—An act to amend Section 1 of Chapter 1227 of the Statutes of 1951, relating to the number and compensation of the judges, officers and attaches of the municipal court in a district embracing the City of Fresno.

Referred to Committee on Local Government.

**Senate Bill No. 739:** By Senator Burns—An act to add Section 31553.7 to the Government Code, relating to county employees' retirement associations in respect to membership of elective officers.

Referred to Committee on Local Government.

**Senate Bill No. 740:** By Senator Burns—An act to add Section 9080.5 to the Insurance Code, relating to the exemption of religious organizations from fire insurance laws.

Referred to Committee on Financial Institutions.

**Senate Bill No. 741:** By Senator Burns—An act to add Chapter 7 of Division 20, comprising Section 25200, to the Health and Safety Code, relating to unfenced or uncovered swimming pools.

Referred to Committee on Judiciary.

**Senate Bill No. 742:** By Senator Burns—An act to amend Section 31645 of the Government Code, relating to county employees' retirement systems in respect to the granting of credit for prior service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 743:** By Senator Gibson—An act to amend Section 2 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656 of the Statutes of 1951), relating to the Solano County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 744:** By Senator Dilworth—An act making an appropriation to the Riverside County Flood Control and Water Conservation District to be used to protect the lives and property of the people of the State of California in the area adjacent to Lake Elsinore, declaring the intent of the Legislature.

Referred to Committee on Water Resources.

**Senate Bill No. 745:** By Senator Thompson—An act to add Section 7150 to the Business and Professions Code, relating to building inspectors.

Referred to Committee on Business and Professions.

**Senate Bill No. 746:** By Senator Abshire—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of the United States.

Referred to Committee on Fish and Game.

**Senate Bill No. 747:** By Senator Abshire—An act to amend Section 14025 of, and to add Section 14030 to, the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 748:** By Senator Abshire—An act to amend Section 9028 of the Business and Professions Code, relating to social workers.

Referred to Committee on Business and Professions.

**Senate Bill No. 749:** By Senators Collier, Powers, and Way—An act to add Chapter 2.5 to Division 1, Title 2, of the Government Code, creating a California Klamath River Commission and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 750:** By Senator Cunningham—An act to add Section 1408 to the Elections Code, relating to the cost to the State of constitutional amendments proposed by initiative.

Referred to Committee on Elections.

**Senate Bill No. 751:** By Senator Williams—An act to add Section 22654 to the Water Code, relating to powers and purposes of irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 752:** By Senator Williams—An act to add Section 22655 to the Water Code, relating to powers and purposes of irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 753:** By Senator Williams—An act to add Section 22078 to the Water Code, relating to powers and purposes of irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 754:** By Senator Williams—An act to amend Section 25652 of the Water Code, relating to assessments in irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 755:** By Senator Williams—An act to amend Sections 1359 and 1362 of the Financial Code, relating to the investment of funds of savings banks, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Financial Institutions.

**Senate Bill No. 756:** By Senator Williams—An act to amend Section 20064 of the Water Code, relating to investment of funds in district bonds, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 757:** By Senator Abshire—An act to add Part 7 of Division 5 of the Labor Code, comprising Sections 7800 to 7804 inclusive, relating to flammable substances.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 758:** By Senator Abshire—An act to amend Section 3 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to powers of said district.

Referred to Committee on Water Resources.

**Senate Concurrent Resolution No. 23:** By Senator Powers—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 23, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 23

**Senate Concurrent Resolution No. 23**—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

### LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE, January 12, 1953

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by S. C. R. 51 (Res. Ch. 141) Regular Session of 1945; continued by S. C. R. 4 (Res. Ch. 14) Regular Session of 1947; continued by S. C. R. 54 (Res. Ch. 193) Regular Session of 1949; and continued by S. C. R. 69 (Res. Ch. 221) Regular Session of 1951, submits the following special and partial report covering the committee's investigations and conclusions and recommendations on the subject of Artificial Breeding of Dairy Cattle in California.

Respectfully submitted,

SAM L. COLLINS  
FRED WEYBRET  
PAUL L. BYRNE  
EARL D. DESMOND  
BEN HULSE  
HAROLD J. POWERS

GEORGE J. HATFIELD, Chairman  
GEORGE A. CLARKE  
STEWART HINCKLEY  
THOMAS M. ERWIN  
JULIAN BECK  
LLOYD W. LOWREY

### MOTION TO PRINT REPORT

Senator Hatfield moved the letter of transmittal be printed in the Journal, and that the special and partial report submitted by the Joint Legislative Committee on Agriculture and Livestock Problems be printed in the Appendix to the Journal, and that 2,000 additional copies be printed for distribution.

Motion carried.

### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Joint Resolution No. 9:** By Senators Sutton, Hoffman, McCarthy, Berry, Tenney, Erhart, O'Gara, Dorsey, Cunningham, Thompson, Dilworth, and Hatfield—Relative to the shortage of hospital beds for California veterans.

### Request for Unanimous Consent

Senator Sutton asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 9, at this time, for consideration.

### CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

**Senate Joint Resolution No. 9**—Relative to the shortage of hospital beds for California veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 759:** By Senator Abshire—An act to add Section 1682.5 of the Labor Code, relating to farm labor contractors.

Referred to Committee on Labor.

**Senate Bill No. 760:** By Senator Abshire—An act to amend Section 709 of, and to add Section 709.1 to, the Vehicle Code, relating to trucking.

Referred to Committee on Transportation.

**Senate Bill No. 761:** By Senator Abshire—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Referred to Committee on Transportation.

**Senate Bill No. 762:** By Senator Abshire—An act to amend Section 531 of the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

Referred to Committee on Transportation.

**Senate Bill No. 763:** By Senator Abshire—An act to amend Section 1101 of, and to add Section 1103.35 to, the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

**Senate Bill No. 764:** By Senator Abshire—An act to amend Section 1101 of, and to add 1103.35 to, the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

**Senate Bill No. 765:** By Senator Abshire—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children and failure to report the return of an absent parent.

Referred to Committee on Social Welfare.

**Senate Bill No. 766:** By Senator Abshire—An act to amend Section 1508 of the Welfare and Institutions Code, relating to the duty of a step-parent to support his stepchild.

Referred to Committee on Social Welfare.

**Senate Bill No. 767:** By Senator Abshire—An act to amend Section 1508 of the Welfare and Institutions Code, relating to the duty of a step-father to support his stepchild.

Referred to Committee on Social Welfare.

**Senate Bill No. 768:** By Senator Abshire—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Referred to Committee on Social Welfare.

**Senate Bill No. 769:** By Senator Abshire—An act to amend Section 1508 of the Welfare and Institutions Code, relating to the duty of a stepfather to support his stepchild.

Referred to Committee on Social Welfare.

**Assistant Secretary Leslie Miller at the Desk**

**Senate Bill No. 770:** By Senator Abshire—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 771:** By Senator Abshire—An act to amend Sections 6070 and 6071 of the Insurance Code, relating to county mutual insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 772:** By Senator Abshire—An act to amend Section 6070 and to repeal Section 6071 of the Insurance Code, relating to county mutual insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 773:** By Senator Abshire—An act to amend Section 6013 of the Insurance Code, relating county mutual insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 774:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 11500 of the Government Code, relating to adjudication under the Administrative Procedure Act.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 775:** By Senator Collier—An act to provide for a system of strategic state highways and freeways and for the financing thereof, including the issuance of bonds and the raising of revenue therefor, making an appropriation, amending Sections 7351, 8651, and 9651, and repealing Section 6357, of the Revenue and Taxation Code, amending Sections 186, 188, and 188.4 of the Streets and Highways Code, and amending Sections 370 and 372 of the Vehicle Code.

Referred to Committee on Transportation.

**Senate Bill No. 776:** By Senator Collier—An act to amend Sections 7351, 8651, and 9651 of the Revenue and Taxation Code, to amend Sections 370, 372, 381, and 382 of the Vehicle Code, and to amend Sections 188 and 188.4 of the Streets and Highways Code, to provide for a system of public streets and highways in this State and for the financial support thereof, including the levying of taxes therefor, to take effect immediately.

Referred to Committee on Transportation.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 777:** By Senators Mayo, Brown, Berry, Harold T. Johnson, Powers, and Sutton—An act to add Section 1157 to the Health and Safety Code, relating to local public health administration.

Referred to Committee on Public Health and Safety.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 14, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

DONALD L. WARNER, a resident of Glendale; business executive; Past Department Commander of Veterans of Foreign Wars; a Member of the California Veterans Board since July 13, 1951;

to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

MAURICE J. OSTOMEL, a resident of Los Angeles; Assistant Executive Secretary of the Welfare Council of Metropolitan Los Angeles; a Member of the Board of Social Work Examiners since March 16, 1949;

to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1957.

REVEREND RAYMOND J. O'FLAHERTY, a resident of Los Angeles; Executive Director, Catholic Welfare Bureau, Archdiocese of Los Angeles; Member of the Board of Social Work Examiners since September 26, 1945;

to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

J. A. GUTHRIE, a resident of San Bernardino; publisher; Member of the California Highway Commission since September 14, 1943;

to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1957.

CHESTER H. WARLOW, a resident of Fresno; business executive; Member of the California Highway Commission since September 14, 1943;

to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

### RECESS

At 11.50 a.m., on motion of Senator Burns, the Senate recessed until 3.30 p.m.



## REASSEMBLED

At 3.30 p.m., the Senate reconvened.

Hon. James J. McBride, Senator from the Thirty-third District, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

## Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES  
SACRAMENTO, January 14, 1953

*Hon. Goodwin J. Knight  
President of the Senate  
State Capitol  
Sacramento, California*

DEAR GOVERNOR KNIGHT: Pursuant to Senate Concurrent Resolution No. 44 of the 1951 General Session, relative to Sequoia gigantea groves, I am enclosing one signed copy of the requested report.

Under separate cover I am delivering to Mr. Beck, Secretary of the Senate, sufficient copies of this report for each Member of the Senate.

Sincerely yours,

WARREN T. HANNUM  
Director Natural Resources

Report ordered filed with the Secretary of the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 778:** By Senators Donnelly, Tenney, Parkman, and Gibson—An act to add Part 15 to Division 2 of the Revenue and Taxation Code, relating to the Board of Tax Appeals, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 779:** By Senator Donnelly—An act to repeal Article 2 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum oil importation.

Referred to Committee on Business and Professions.

**Senate Bill No. 780:** By Senator Donnelly—An act to amend Section 2160 of the Welfare and Institutions Code, relating to the eligibility of aliens for old age assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 781:** By Senator Donnelly—An act to amend Section 13841.1 of the Education Code, relating to sick leave of school district employees.

Referred to Committee on Education.

**Senate Bill No. 782:** By Senator Erhart—An act to repeal Section 2 of Chapter 1042 of the Statutes of 1951, relating to nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 783:** By Senators Thompson, Hoffman, Coombs, and Abshire—An act to add Section 2607 to the Public Resources Code, relating to mining.

Referred to Committee on Natural Resources.

**Senate Bill No. 784:** By Senator Dilworth—An act making an appropriation for the continuous operation of aid to veterans under the Veterans' Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 785:** By Senator Dilworth—An act to amend Section 14640 of, and to add Sections 14633 and 14639.5 to, the Education Code, relating to the State Teachers' Retirement System in respect to benefits payable thereby.

Referred to Committee on Education.

**Senate Bill No. 786:** By Senator Dilworth—An act to amend Section 14640 of the Education Code, relating to the amount of disability annuity payable under the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 787:** By Senator Desmond—An act to repeal the State Aeronautics Commission Act (Chapter 1379 of the Statutes of 1947) and to repeal Part 1 of Division 9 of the Public Utilities Code, relating to aeronautics and providing for the abolition of the California Aeronautics Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 788:** By Senator Desmond—An act to amend Sections 663 and 664 of the Agricultural Code, relating to licenses and reports in relation to milk and dairy products.

Referred to Committee on Agriculture.

**Senate Bill No. 789:** By Senator Desmond—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions.

Referred to Committee on Judiciary.

**Senate Bill No. 790:** By Senator Williams—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 791:** By Senators Abshire, Weybret, McBride, Busch, and Desmond—An act to add Sections 9900.1, 9900.2, 9906.01, 9906.02, 9906.03, 9906.04, and 9906.05 to, and to amend Sections 9906 and 9908 of, and to repeal Section 9911 of, the Government Code, relating to influencing legislation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 792:** By Senators Abshire, McBride, Weybret, Busch, and Desmond—An act to amend Section 9907 of the Government Code, relating to legislative representation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 793:** By Senators Abshire, McBride, Weybret, Busch, and Desmond—An act to amend Section 9902 of the Government Code, relating to legislative representation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 794:** By Senators Abshire, McBride, Weybret, Busch, and Desmond—An act to amend Section 9911 of the Government Code, relating to legislative representation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 795:** By Senators Abshire, McBride, Busch, Desmond, and Weybret—An act to amend Sections 9904 and 9907 of the Government Code, relating to influencing legislation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 796:** By Senators Abshire, McBride, Busch, Desmond, and Weybret—An act to amend Section 9909 of the Government Code, relating to influencing legislation.

Referred to Committee on Legislative Representation.

**Senate Bill No. 797:** By Senator Williams—An act to amend Section 1204 of the Fish and Game Code, relating to the issuance of licenses to feed migratory game birds.

Referred to Committee on Fish and Game.

**Senate Bill No. 798:** By Senator Williams—An act to add Section 34.5 to the Fish and Game Code, relating to predatory birds and mammals.

Referred to Committee on Fish and Game.

**Senate Bill No. 799:** By Senator Williams—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game.

**Senate Bill No. 800:** By Senator Williams—An act to amend Section 340 of the Fish and Game Code, relating to refuges and public shooting grounds.

Referred to Committee on Fish and Game.

**Senate Bill No. 801:** By Senator Collier—An act to amend Sections 2103, 2110, 2111, 2113, 2114, 2115, and 2116, and to repeal Section 2112, of the Streets and Highways Code, and to amend Section 8353 of the Revenue and Taxation Code, relating to highway users taxes and the apportionment thereof.

Referred to Committee on Transportation.

**Senate Bill No. 802:** By Senators Breed, Kraft, Dilworth, Thompson, Coombs, Tenney, O'Gara, and Ward—An act to add Chapter 4.6, comprising Sections 20590 to 20594, inclusive, to Part 3 of Division 5 of Title 2 of the Government Code, to amend Section 20331 and to repeal Section 20651 thereof, relating to the inclusion of certain officers and employees of the University of California in the State Employees' Retirement System, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 803:** By Senator Regan—An act to add Section 38612 to the Government Code, relating to holidays for firemen.

Referred to Committee on Local Government.

**Senate Bill No. 804:** By Senator Regan—An act to add Section 539.5 to the Code of Civil Procedure, relating to actions for wrongful attachment.

Referred to Committee on Judiciary.

**Senate Bill No. 805:** By Senator Regan—An act to amend Section 1550 of, and to repeal Section 1552 of, the Welfare and Institutions Code, relating to the procedure for investigation and payment of aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 806:** By Senator Regan—An act to amend Sections 2181, 2182, and 2183 of, and to add Section 2180.5 to, and to repeal Section 2180.1 of, the Welfare and Institutions Code, relating to the procedure of the Old Age Security Law.

Referred to Committee on Social Welfare.

**Senate Bill No. 807:** By Senator Regan—An act to add Section 1550.5 to the Welfare and Institutions Code, relating to restoration of aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 808:** By Senator Regan—An act to amend Sections 3082 and 3084 of the Welfare and Institutions Code, relating to the investigation and payment of aid to the needy blind.

Referred to Committee on Social Welfare.

**Senate Bill No. 809:** By Senator Regan—An act to add Section 2180.6 to, and to repeal Section 2183.9 of, the Welfare and Institutions Code, relating to the procedure for restoration of aid under the Old Age Security Law.

Referred to Committee on Social Welfare.

**Senate Bill No. 810:** By Senator Regan—An act to amend Section 50022 of the Government Code, relating to fire prevention and building codes.

Referred to Committee on Local Government.



**Senate Bill No. 811:** By Senator Regan—An act to amend Section 58.6 of the Code of Civil Procedure and Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 812:** By Senator Regan—An act to add Section 53024 to the Government Code, relating to retirement of firemen in cities, counties or fire protection districts.

Referred to Committee on Local Government.

**Senate Bill No. 813:** By Senator Regan—An act to amend Section 1102 of the Penal Code, relating to rules of evidence in criminal actions.

Referred to Committee on Judiciary.

**Senate Bill No. 814:** By Senator Regan—An act to amend Section 1956 of the Government Code, relating to the insurance of public officers against liability.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 815:** By Senator Regan—An act to add Section 998 to the Code of Civil Procedure, relating to the liability of an insurer for judgment obtained against the insured.

Referred to Committee on Judiciary.

**Senate Bill No. 816:** By Senator Regan—An act to add Section 379d to the Code of Civil Procedure, relating to joinder of parties in civil actions.

Referred to Committee on Judiciary.

**Senate Bill No. 817:** By Senator Hulse—An act to add Chapter 22 to Division 3 of the Education Code, relating to the retirement of bonds for school district public works.

Referred to Committee on Education.

**Senate Bill No. 818:** By Senator Hulse—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Referred to Committee on Institutions.

**Senate Bill No. 819:** By Senator Hulse—An act to amend Section 12974 of the Insurance Code, relating to moneys in the Insurance Fund.

Referred to Committee on Financial Institutions.

**Senate Bill No. 820:** By Senator Hulse—An act to add Section 1086.2 to the Military and Veterans Code, relating to the Woman's Relief Corps Home.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 821:** By Senator Hulse—An act to amend Section 16475 of the Government Code, relating to interest earned on the Capital Surplus Money Investment Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 822—**By Senators Hoffman, Cunningham, Dilworth, Berry, O'Gara, Erhart, and Tenney—An act to amend Sections 550 and 567 of the Military and Veterans Code, relating to the organization and maintenance of the California National Guard Reserve at cadre strength during such time as may be necessary, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 823:** By Senators Sutton, Hoffman, Cunningham, Berry, O'Gara, Erhart, and McCarthy—An act to amend Sections 16, 215, 225, 228, 232, 236, 238, 256, 269, 326, 431, and 644 of the Military and Veterans Code, relating to the military forces of the State, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 824:** By Senators Sutton, Hoffman, Cunningham, Berry, O'Gara, Erhart, McCarthy, and Tenney—An act to amend the title to Chapter 1 and Sections 50, 51, and 52 of, and to add Sections 53 and 54 to, the Military and Veterans Code, and to amend Section 12040 of the Government Code, relating to the military department, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 825:** By Senators Hoffman, O'Gara, and Erhart—An act to amend Sections 502, 502.1, 502.2, 503, 504, 506, 509, 512, 513, 515, and 520.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 826—**By Senators Brown and Hatfield—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 827:** By Senator Brown—An act to amend Sections 23102 and 23155 of the Government Code, relating to the boundaries of Alpine and Tuolumne Counties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 828:** By Senator Brown—An act to amend Sections 23114 and 23136 of the Government Code, relating to the boundaries of Inyo and San Bernardino Counties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 829:** By Senator Thompson—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 830:** By Senator Harold T. Johnson—An act to add Sections 7612 and 7613 to the Public Utilities Code, relating to rail track motor cars.

Referred to Committee on Public Utilities.

**Senate Bill No. 831:** By Senator Cunningham—An act to amend Section 204 of the Labor Code, relating to time of payment of wages.

Referred to Committee on Labor.

**Senate Bill No. 832:** By Senator Cunningham—An act to amend Sections 2084, 2085, and 2086 of, and to add Sections 2084.1, 2084.2, and 2090 to, the Code of Civil Procedure, relating to the production and perpetuation of testimony.

Referred to Committee on Judiciary.

**Senate Bill No. 833:** By Senator O'Gara—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

Referred to Committee on Education.

**Senate Bill No. 834:** By Senators Sutton and Hoffman—An act to amend Sections 106 and 1254 of the Water Code, relating to beneficial uses of water.

Referred to Committee on Water Resources.

**Senate Bill No. 835:** By Senator Hoffman—An act to amend Section 51360 of the Water Code and to repeal Section 51362 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 836:** By Senator Hoffman—An act to amend Section 51360 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 837:** By Senator Dilworth—An act to amend Section 27 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 838:** By Senator Dilworth—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), relating to the powers of the Riverside County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 839:** By Senator Dilworth—An act to amend Sections 3301.5 and 3301.6 of the Health and Safety Code, relating to tuberculosis subsidy.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 840:** By Senators Mayo and Burns—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 841:** By Senator Mayo—An act to add Chapter 2.5 to Division 2 of the Public Resources Code, authorizing the Division of Mines in the Department of Natural Resources to purchase, stockpile, and sell essential minerals needed by the Federal Government to provide for the national defense, establishing the Essential Minerals Stockpile Fund, and making an appropriation thereto, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources.

**Senate Bill No. 842:** By Senator Mayo—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation.

**Senate Bill No. 843:** By Senator Mayo—An act to add Section 7209 to the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 844:** By Senator Coombs—An act to add Section 26543 to the Government Code, relating to the district attorney.

Referred to Committee on Local Government.

**Senate Bill No. 845:** By Senator O'Gara—An act to add Part 7.2 to Division 2 of the Insurance Code, relating to catastrophe insurance, and making an appropriation to carry out the provisions thereof.

Referred to Committee on Financial Institutions.

**Senate Bill No. 846:** By Senator O'Gara—An act to add Part 7.6 to Division 2 of the Insurance Code, relating to catastrophe insurance, and making an appropriation to carry out the provisions thereof.

Referred to Committee on Financial Institutions.

**Senate Bill No. 847:** By Senator Regan—An act to amend Sections 482, 483, 484, and 488 of, and to add Section 489 to, the Vehicle Code, relating to disclosure of insurance coverage.

Referred to Committee on Financial Institutions.

**Senate Bill No. 848:** By Senator O'Gara—An act to add Part 7.4 to Division 2 of the Insurance Code, and to add Chapter 4 to Part 12 of Division 2 of the Revenue and Taxation Code, relating to catastrophe insurance, providing for the levy of taxes to meet the costs thereof, and making an appropriation to carry out the provisions thereof.

Referred to Committee on Financial Institutions.

**Senate Bill No. 849:** By Senator O'Gara—An act to add Part 7 to Division 2 of the Insurance Code, and to add Chapter 3 to Part 12 of Division 2 of the Revenue and Taxation Code, relating to catastrophe



insurance, providing for the levy of a state property tax to meet the costs thereof, and making an appropriation to carry out the provisions thereof.

Referred to Committee on Financial Institutions.

**Senate Bill No. 850:** By Senator Sutton—An act to amend Section 28143 of the Government Code, relating to salaries of officers in counties of the forty-third class.

Referred to Committee on Local Government.

**Senate Bill No. 851:** By Senator Ward—An act to add Section 11661.5 to the Insurance Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 852:** By Senators Ward, Harold T. Johnson, Parkman and Kraft—An act to repeal Section 5315, and to amend Section 5900 of the Labor Code, relating to workman's compensation proceedings.

Referred to Committee on Labor.

**Senate Bill No. 853:** By Senators Ward, Parkman, Kraft, and Harold T. Johnson—An act to amend Section 3352 of the Labor Code, and to repeal Sections 4250 to 4256 thereof, relating to the inclusion of agricultural and related employments in the workmen's compensation laws.

Referred to Committee on Labor.

**Senate Bill No. 854:** By Senator Ward—An act to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

Referred to Committee on Local Government.

**Senate Bill No. 855:** By Senator Ward—An act to amend Section 421 of the Education Code, relating to the salary of the superintendent of schools of a county of the twenty-first class.

Referred to Committee on Local Government.

**Senate Bill No. 856:** By Senator McCarthy—An act to amend Section 1 of Chapter 1556 of the Statutes of 1951, relating to the compensation of officers and attaches of the municipal court in a district designated as the Central Judicial District of Marin County.

Referred to Committee on Local Government.

**Senate Bill No. 857:** By Senator McCarthy—An act to amend Section 1 of Chapter 1556 of the Statutes of 1951, relating to compensation of judges of the municipal court in a district designated as the Central Judicial District of Marin County.

Referred to Committee on Local Government.

**Senate Bill No. 858:** By Senators McCarthy and Byrne—An act to add Sections 21021.4, 21290.4, and 21292.4 to the Government Code, relating to the State Employees' Retirement System in respect to disability retirement of prison members.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 859:** By Senators McCarthy and Byrne—An act to repeal Section 4707 of the Labor Code, relating to the diminution of workmen's compensation death benefits on account of death benefits payable under the State Employees' Retirement Law.

Referred to Committee on Labor.

**Senate Bill No. 860:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 11440 of the Government Code, relating to judicial review and exemptions under the Administrative Procedure Act.

Referred to Committee on Judiciary.

**Senate Bill No. 861:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 11380 of the Government Code, relating to the filing and publication of rules and regulations under the Administrative Procedure Act.

Referred to Committee on Judiciary.

**Senate Bill No. 862:** By Senators Abshire, Desmond, and Dorsey—An act to amend Section 11409 of the Government Code, relating to the Administrative Code and Register and the procedure for adoption of regulations under the Administrative Procedure Act.

Referred to Committee on Judiciary.

**Senate Bill No. 863:** By Senator Erhart—An act to amend Sections 3044 and 3044.1 of, and to add Sections 3044.001 and 3044.2 to, the Welfare and Institutions Code, relating to aid to the needy blind, to provide for the aid of needy blind recipients in institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 864:** By Senator Erhart—An act to amend Section 9808 of the Education Code, relating to a county tax for education of mentally retarded minors.

Referred to Committee on Education.

**Senate Bill No. 865:** By Senators Erhart, Weybret, and Tenney—An act to amend Sections 2605, 2617, 2701, and 2704, of the Revenue and Taxation Code, relating to collection of taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 866:** By Senator Erhart—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 867:** By Senator Erhart—An act to amend Section 2160 and 2160.7 of, and to add Sections 2160.2 and 2160.3 to, the Welfare and Institutions Code, relating to old age security to provide for the aid of old age security recipients in institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 868:** By Senator Berry—An act to amend Sections 442 and 452 of the Education Code, relating to the compensation of the county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 869:** By Senator Berry—An act to amend Section 28142 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 870:** By Senator Berry—An act to amend Section 28152 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 871:** By Senator Berry—An act to amend Sections 79.3 and 79.9 of the Code of Civil Procedure, relating to the compensation of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 872:** By Senators Mayo, Breed, O'Gara, Regan, McBride, Brown, and Miller—An act to add Part 5, comprising Sections 10700 to 10703, inclusive, to Division 2 of the Corporations Code, relating to participation by public agencies in the formation and activities of non-profit port and terminal protection and development corporations.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 873:** By Senators Mayo, Breed, O'Gara, Regan, McBride, Brown, and Miller—An act to add Article 6, comprising Sections 1980 to 1981, inclusive, to Chapter 4 of Part 1 of Division 6 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 874:** By Senator McBride—An act to amend Section 10277 of the Health and Safety Code, relating to birth certificates.

Referred to Committee on Judiciary.

**Senate Bill No. 875:** By Senator McBride—An act to amend Section 304.3 of the Code of Civil Procedure, relating to fees of interpreters and translators.

Referred to Committee on Judiciary.

**Senate Bill No. 876:** By Senator Donnelly—An act to amend Section 9641 of the Education Code, relating to education of physically handicapped minors.

Referred to Committee on Education.

**Senate Bill No. 877:** By Senator McBride—An act to add Section 27383 to the Government Code, relating to fees charged by county recorders.

Referred to Committee on Local Government.

**Senate Bill No. 878:** By Senator Regan—An act to amend Sections 41 and 42 of the Public Utility District Act of 1921 (Chapter 560 of the Statutes of 1921), and to amend Sections 16501 and 16544 of the Public Utilities Code, relating to bids for furnishing supplies to and for construction work in public utilities districts.

Referred to Committee on Public Utilities.

**Senate Bill No. 879:** By Senator Ed. C. Johnson—An act to add Section 580.1 to the Fish and Game Code, relating to the use of electricity in state waters.

Referred to Committee on Fish and Game.

**President of the Senate Presiding**

At 4.10 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**Senate Bill No. 880:** By Senators Erhart, Kraft, and Parkman—An act to amend Section 17026 of the Business and Professions Code, relating to definition of cost in the Unfair Practices Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 881:** By Senators Erhart, Kraft, and Parkman—An act to amend Section 17044 of the Business and Professions Code, relating to "loss leaders" in the Unfair Practices Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 882:** By Senator Erhart—An act to amend Section 20432 of the Education Code, relating to state colleges.

Referred to Committee on Education.

**Senate Bill No. 883:** By Senator Erhart—An act to amend Section 20383.5 of the Education Code, relating to the public school system.

Referred to Committee on Education.

**Senate Bill No. 884:** By Senators Parkman and McBride—An act to add Section 21292.1 to the Government Code, relating to the State Employees' Retirement System in respect to increases in the disability retirement allowances of certain retired members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 885:** By Senator Donnelly—An act to amend Section 16271 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 886:** By Senator Donnelly—An act to add Sections 10324.5, 10506.5, and 18942.5, to the Education Code, all relating to the qualifications of persons performing services for county superintendents of schools.

Referred to Committee on Education.

**Senate Bill No. 887:** By Senator Donnelly—An act to amend Section 6361 of the Education Code, relating to school district budgets.

Referred to Committee on Education.



**Senate Bill No. 888:** By Senator Donnelly—An act to amend Sections 24503 and 24504 of the Education Code, all relating to first aid equipment for schools.

Referred to Committee on Education.

**Senate Bill No. 889:** By Senator Desmond—An act to amend Section 79.34 of the Code of Civil Procedure, relating to superior court judges' salaries in the County of Sacramento.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 890:** By Senator Thompson—An act to authorize the Director of Education and the San Jose Board of Education to contract with respect to the operation of the San Jose Junior College.

Referred to Committee on Education.

**Senate Bill No. 891:** By Senators Hoffman, Thompson, Cunningham, and Powers—An act to repeal Sections 92 and 92.4 of, and to add Sections 92, 92.1, 92.2, 92.3, and 92.4 to, the Agricultural Code, and to amend Sections 19622, 19624, and 19626 of the Business and Professions Code, relating to citrus, county and district agricultural association fairs, providing for the classification of such fairs and the allocation of money thereto, creating the Agricultural Fairs Committee, prescribing its powers and duties, and the powers and duties of the Department of Finance in relation to agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 892:** By Senators Hoffman and Hatfield—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to the feeding of garbage to swine.

Referred to Committee on Agriculture.

**Senate Bill No. 893:** By Senators Hoffman and Thompson—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, and to add Section 19622.6 to the Business and Professions Code, creating an agricultural fairs commission, prescribing its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 894:** By Senators Hoffman and Thompson—An act to add Section 851 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

**Senate Bill No. 895:** By Senators Hoffman and Thompson—An act to amend Section 80 of, to repeal Section 80.5 of, and to add Section 92.1 to, the Agricultural Code, relating to district and county agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 896:** By Senator Collier—An act to amend Section 215 of the Vehicle Code, relating to registration of foreign vehicles used commercially.

Referred to Committee on Transportation.

**Senate Bill No. 897:** By Senator Collier—An act to add Section 377.7 to the Vehicle Code, relating to fees on trip permits.

Referred to Committee on Transportation.

**Senate Bill No. 898:** By Senator Collier—An act to amend Section 136 of the Vehicle Code, relating to the authority of the director, registrar, and investigators of the Department of Motor Vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 899:** By Senator Regan—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Referred to Committee on Labor.

**Senate Bill No. 900:** By Senator Desmond—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54309, 54348, 54349, 54424, 54426, 54478, and 54524 of the Government Code, by adding Sections 54301.1 and 54346.3 to the Government Code, and by repealing Section 54343 of the Government Code, all relating to the authorization, issue and sale of revenue bonds by local agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 901:** By Senator Desmond—An act to amend Section 7.7 (as added by Chapter 1758 of the Statutes of 1951) of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935) and to amend Section 626 of the Unemployment Insurance Code, relating to agricultural labor.

Referred to Committee on Agriculture.

**Senate Bill No. 902:** By Senator Dilworth—An act to add Section 262 to the Revenue and Taxation Code, relating to the church exemption.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 903:** By Senator Dilworth—An act to add Article 5d to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective the Veterans Bond Act of 1953.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 904:** By Senator Dilworth—An act to add Section 5017 to the Public Resources Code, relating to the use or possession of firearms or the taking of birds or mammals near the Mt. San Jacinto State Park.

Referred to Committee on Natural Resources.

**Senate Bill No. 905:** By Senator Dilworth—An act to add Sections 11512, 11513, 11556, 11557, 11558, 11559, and 11560 to the Business and Professions Code, relating to the acquisition of sites for school buildings.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 11:** By Senator Collier—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 16.7, relating to the issuance of bonds for highway purposes.

Referred to Committee on Transportation.

**Senate Constitutional Amendment No. 12:** By Senators Donnelly, Parkman, Gibson, and Tenney—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 9 of Article XIII thereof, relating to the assessment and equalization of property, including provision for a Board of Tax Appeals.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 13:** By Senator O'Gara—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4.5 to Article XIII thereof, relating to the taxation of property.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 14:** By Senator Mayo—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 1e, relating to the submission of initiative measures to the electors.

Referred to Committee on Elections.

**Senate Constitutional Amendment No. 15:** By Senator Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 18½, empowering any city, county, city and county, or other public body, agency, or district, to pledge revenues derived from water, sewage, or drainage public utilities as additional security for the payment of revenue bonds.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 16:** By Senator McBride—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII thereof, relating to the exemption of vessels from taxation.

Referred to Committee on Revenue and Taxation.

**Senate Concurrent Resolution No. 24:** By Senators Williams and Hatfield—Relative to acquisition of Central Valley Project.

Referred to Committee on Water Resources.

**Senate Concurrent Resolution No. 25:** By Senator Way—Relating to the survey and analysis of a plan to expedite the completion of the projected modern highway system of the State through federal loans secured by highway revenue.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 26:** By Senator Powers—Relative to amending the Joint Rules of the Senate and Assembly for the 1953 Regular Session of the California Legislature, by adding Rule 41 thereto, relating to industrial injury reports.

Referred to Committee on Rules.

**Senate Joint Resolution No. 10:** By Senators Hoffman and Hatfield—Relative to vesicular exanthema in swine and memorializing the Congress of the United States in relation thereto.

Referred to Committee on Agriculture.

**Senate Joint Resolution No. 11:** By Senators Desmond, Tenney, Erhart, Sutton, Ward, Way, Gibson, Thompson, Hoffman, and McCarthy—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on incomes, inheritance and gifts.

Referred to Committee on Revenue and Taxation.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 14, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred: Senate Bill No. 122

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

#### ADJOURNMENT

At 4.30 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Thursday, January 15, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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NINTH LEGISLATIVE DAY  
ELEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, January 15, 1953

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.  
Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Mayo, on motion of Senator Powers, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Peter Balbi, Mrs. D. Stevenson, R. Maxwell, and E. Hegarty, teachers of the Franklin High School in Stockton, and the following students: Jim Adams, Patricia Allen, Loretta Anderson, Rena Bayers, Betty Berggren, Penelope Bloom, Novalene Brisco, James Busby, David Canevari, Benny Chandler, Jean Carlson, Jack Clinton, Wally Cook, Allen Crandall, Barbara Cox, Melba Catlett, Lowell Decko, Mary Anne Dekas, Othel Easter, Edith Fezzolari, Wanda Furgerson, Denelda Gaw, Shirley

Ghiorso, Frank Guerra, Rae Marie Harper, Waymond Hall, Doris Haug, Nancy Harris, Beth Hewitt, Geraldine Herrera, Gary Hill, Virginia Hiser, Margie Hickey, Ola Jean Hooten, Odus Huckaby, Karen Jackson, Russell James, Kathryn Johnson, Jesse Kaygoza, Carl Kennard, Milo Kividera, Marlene Kungert, Joe Leos, Herbert Lindsey, Esther Lobato, Joe Lopez, Docia Lucas, Orville Luman, David Macias, Laura Macias, Juanita Maldonado, Richard Maldonado, Steven Morrill, Evelyn Merrihew, Marylyn Miller, Jay Montgomery, Alice McPherson, Barbara Northway, Margaret Nuchels, Shyla Ovarrell, Jean Overly, Leona Parsons, Roy Paul, Lauren Pettis, Joe Pic Cola, Carolyn Renfro, Juanita Reynolds, Arthur Riggs, Raymond Schenone, Mable Stafford, Dorothy Swinney, Frances Swinney, Mable Stafford, Thelma Tarkington, Andrew Thompson, Geraldine Timmons, Patricia Treadway, Kenneth Tucker, Raymond Wells, David White, James White, Jimmey Winchell, Diane Williams, Marie Wilson, and Pauline Wilson.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Nancy Root of St. Mary's Catholic School in Los Angeles, and Dr. L. A. Alesen, M. D., of Los Angeles.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Randolph Newman of Santa Rosa.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John J. Wolf, Miss Emma Von Hatten, and Mrs. Marion Mansfield of Sacramento.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold E. George of Sacramento.

On request of Senators McCarthy and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Henry Kallin, teacher, and the following students of the Fairmount School in San Francisco: Gary Aaneberg, Gerald Brooks, Joan Camisa, Dennis Casha, Jack Dill, Gail Furst, Eileen Jensen, George Loizos, Jacqueline Martinez, Adele Perez, Gloria Perez, George Politis, Carol Schaeberle, Gwen Taufer, Betty Tilden, Florence Yoxall, Judy Addis, Adolph Bernard, Ruth Bjostad, Mildred Davis, Patsy Healy, Carole Lee, Ronald Michael, Diane Mulloy, Robert Murray, Robert Roster, Robert Stewart, Marcia Brusea, Gertrude Eder, Ronald Miller, Tommy Fromme, Mercedes Murillo, Harold Bartholomew, Marlene Manos, Charles Keithly, Patsy Nichols, Carla Anderson, and Daniel Nolan.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willard H. Van Dyke and the following students from Drake High School in San Anselmo: Marvin Rabinovitz, Clyde Ongaro, William Schlueter, Darlene Petersen, and Sally Poncia.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Arthur Tichenor, leader, Nathan Coombs, and the following members of Girl Scout Troop 70 of West Sacramento: Penny Gibson, Alexandra Salas, Jackie Tichenor, Lucretia Curtis, Peggie Harber, Pat Pauline, Laura Gleason, Sharon Gilleland, and Gail Harder.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Jory of Martinez and Lester E. Butler of Richmond.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 19	Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 20	Assembly Joint Resolution No. 5
Assembly Concurrent Resolution No. 21	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 19**—Approving the charter amendment to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

##### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

**Assembly Concurrent Resolution No. 19**—Approving the charter amendment to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 20**—Approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

##### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20**

**Assembly Concurrent Resolution No. 20**—Approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—25.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 21**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election consolidated with the general state election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 21**

**Assembly Concurrent Resolution No. 21**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a special municipal election consolidated with the general state election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 24**—Approving an amendment to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.



**Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 24**

**Assembly Concurrent Resolution No. 24**—Approving an amendment to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—26.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Joint Resolution No. 5**—Relative to the use of the word "California" on labels of garments manufactured by out-of-state garment manufacturers.

Resolution read, and ordered placed on file.

**REPORTS OF STANDING COMMITTEES****Committee on Finance**

SENATE CHAMBER, SACRAMENTO, January 15, 1953

**MR. PRESIDENT:** The Committee on Finance, to which was referred:

Senate Bill No. 122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

HULSE, Chairman

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Senate Bill No. 122, at this time, for consideration.

**CONSIDERATION OF SENATE BILL NO. 122**

**Senate Bill No. 122**—An act making an appropriation for the construction of fireboats and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Breed:

*Resolved*, That Senate Bill No. 122 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring

that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

#### FURTHER CONSIDERATION OF SENATE BILL NO. 122

**Senate Bill No. 122**—An act making an appropriation for the construction of fireboats and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending passage of Senate Bill No. 122:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Senate Bill No. 122, "An act making an appropriation for the construction of fireboats and declaring the urgency thereof, to take effect immediately", in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

At present the City and County of San Francisco is furnishing fire protection in the harbor, under contract. This contract is about to expire. It is necessary, therefore, for the State to construct two fireboats of its own in order to properly protect the harbor in the event of fire.

I therefore recommend consideration of Senate Bill No. 122 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

## RESOLUTIONS

The following resolution was offered:

By Senators Dorsey and Thompson:

**Senate Resolution No. 35**

Relative to the continuance of the Senate Interim Committee on 24-hour Schools

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on 24-hour Schools created by Senate Resolution No. 212 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

Chief Assistant Secretary Cleve V. Taylor at the Desk

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 906:** By Senator Sutton—An act to add Section 92.1 to the Agricultural Code, relating to county and district agricultural association fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 907:** By Senator Sutton—An act to amend Section 4036 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 908:** By Senator Sutton—An act to add Section 558 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 909:** By Senator O'Gara—An act to add Section 30609 to the Streets and Highways Code, relating to approaches to bridges across San Francisco Bay.

Referred to Committee on Transportation.

**Senate Bill No. 910:** By Senator O'Gara—An act to add Section 30610 to the Streets and Highways Code, relating to approaches to the San Francisco Bay Bridge.

Referred to Committee on Transportation.

**Senate Bill No. 911:** By Senator O'Gara—An act to add Section 30150.1 to the Streets and Highways Code, relating to approaches to toll bridges.

Referred to Committee on Transportation.

**Senate Bill No. 912:** By Senator O'Gara—An act to amend Section 2200 of the Welfare and Institutions Code, relating to old age security in respect to the payment of aid, and furnishing of medical or hospital care following a change of residence.

Referred to Committee on Social Welfare.

**Senate Bill No. 913:** By Senator O'Gara—An act to amend Section 3090 of the Welfare and Institutions Code, relating to aid to needy blind in respect to the payment of aid, and furnishing of medical or hospital care following a change of residence.

Referred to Committee on Social Welfare.

**Senate Bill No. 914:** By Senator O'Gara—An act to amend Section 3450 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents in respect to the payment of aid, and furnishing of medical or hospital care following a change of residence.

Referred to Committee on Social Welfare.

**Senate Bill No. 915:** By Senator O'Gara—An act to add a new section to the Financial Code to be numbered 662, relating to the issuance of capital notes and debentures by banks.

Referred to Committee on Financial Institutions.

**Senate Bill No. 916:** By Senator O'Gara—An act to amend Section 209 of the Unemployment Insurance Act, relating to hospital benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 917:** By Senator O'Gara—An act to add Article 1, Sections 6600, 6601, 6602, 6603, 6604, 6605, Article 2, Sections 6625, 6626, 6627, 6628, 6629, 6630, 6631, 6632, 6633, 6634, and 6635 and Article 3, Sections 6650, 6651, 6652, 6653, 6654, 6655, and 6656 to Chapter 4 of Part 1 of Division 5 and to repeal Sections 6600, 6601, and 6602 of the Labor Code, relating to rehearings and judicial review of orders, decisions, rules and regulations of the Division of Industrial Safety.

Referred to Committee on Labor.

**Senate Bill No. 918:** By Senator Coombs—An act to amend Section 79.28 of, and to add Section 66v to, the Code of Civil Procedure, and to amend Section 69668 of, and to add Section 69590.5 to, the Government Code, relating to the number of judges of the superior court in the County of Napa, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 919:** By Senator Cunningham—An act to add Section 6008 to the Public Resources Code, relating to quiet title actions against the State.

Referred to Committee on Judiciary.



**Senate Bill No. 920:** By Senator Cunningham—An act to amend Section 1007 of the Civil Code, relating to the acquisition of title by prescription.

Referred to Committee on Judiciary.

**Senate Bill No. 921:** By Senator Cunningham—An act to amend Section 7555 of the Public Resources Code, relating to swamp and overflowed lands.

Referred to Committee on Judiciary.

**Senate Bill No. 922:** By Senator Cunningham—An act to add Section 426c to the Code of Civil Procedure, relating to actions against the state.

Referred to Committee on Judiciary.

**Senate Bill No. 923:** By Senators Gibson and Weybret—An act to add Section 13537.5 to the Government Code, relating to state printing and duplicating.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 924:** By Senators Gibson and Weybret—An act to amend Sections 13531, 13536, 13537, and 13538 of the Government Code, relating to the State Printing Office.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 925:** By Senators Gibson and Weybret—An act to amend Sections 9700 and 9763 of, to add Sections 13608 and 9705 to, and Chapter 1.5 to Division 1, Title 2 of the Government Code, relating to the Legislative Committee on Printing and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 926:** By Senator Gibson—An act to amend Section 35102 of the Government Code, relating to annexation of territory to cities.

Referred to Committee on Local Government.

**Senate Bill No. 927:** By Senator Gibson—An act to amend Section 35146 of the Government Code, relating to annexation of territory to cities.

Referred to Committee on Local Government.

**Senate Bill No. 928:** By Senators Gibson and Sutton—An act to add Section 604.6 to the Vehicle Code, relating to highway use by certain commercial vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 929:** By Senator Breed—An act to amend Section 28103 of the Government Code, relating to salaries of officers in a county of the third class.

Referred to Committee on Local Government.

**Senate Bill No. 930:** By Senator Hoffman—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 931:** By Senator Weybret—An act to amend Section 225p of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

**Senate Bill No. 932:** By Senator Breed—An act to make an appropriation to the First District Agricultural Association for construction and equipping of a building for exposition purposes.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 933:** By Senator Williams—An act to amend Section 16301 of the Government Code, relating to disposition of moneys received by state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 934:** By Senator Williams—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 935:** By Senator Collier—An act to repeal Section 372 of, and to add Section 372 to, the Vehicle Code, to repeal Part 4, comprising Sections 9601 to 10501, inclusive, of Division 2 of the Revenue and Taxation Code, and to add Part 4, comprising Sections 9601 to 10501, inclusive, to Division 2 of the Revenue and Taxation Code, relating to weight fees imposed on vehicles operated in this State.

Referred to Committee on Transportation.

**Senate Bill No. 936:** By Senator Harold T. Johnson—An act to amend Section 8 in an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately", approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 937:** By Senator Harold T. Johnson—An act to amend Sections 8951 and 8952 of the Education Code, relating to special day and evening classes and summer schools in elementary schools.

Referred to Committee on Education.

**Senate Bill No. 938:** By Senator Harold T. Johnson—An act to amend Section 9351.3 of the Government Code, relating to the Legislators' Retirement System, and providing for the inclusion of officers of the Senate and of the Assembly therein.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 939:** By Senator Dorsey—An act to amend Section 25 of the Civil Code, relating to minors.

Referred to Committee on Judiciary.

**Senate Bill No. 940:** By Senator Cunningham—An act to add Section 6907.5 to the Labor Code, relating to the operation of locomotives.

Referred to Committee on Labor.

**Senate Bill No. 941:** By Senator Way—An act to add Section 803.1 to the Fish and Game Code, relating to razor clams, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Senate Bill No. 942:** By Senator Way—An act to add Section 270.5 to, and to amend Section 272 of, the Labor Code, relating to security for payment of wages.

Referred to Committee on Labor.

**Senate Bill No. 943:** By Senator Way—An act to amend Sections 1120 and 1141 of the Health and Safety Code, relating to state aid for local health administrations.

Referred to Committee on Public Health and Safety.

**Senate Constitutional Amendment No. 17:** By Senators Gibson and Weybret—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7 to Article XXIV thereof, relating to state printing.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 27:** By Senators Ed. C. Johnson and McCarthy—Relative to appointment of Gordon W. Norris as Poet Laureate.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 28:** By Senator Weybret—Approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1953.

#### Request for Unanimous Consent

Senator Weybret asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 28

**Senate Concurrent Resolution No. 28**—Approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Thompson, Ward, Way, Weybret, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### RECESS

At 11.13 a.m., on motion of Senator Powers, the Senate recessed until 3.00 p.m.

#### REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.  
Chief Assistant Secretary Cleve V. Taylor at the desk.

#### COMMUNICATIONS

The following communications were received and read, and, ordered printed in the Journal:

##### Letter of Transmittal

SACRAMENTO, January 15, 1953

*Hon. Joseph A. Beek*  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

DEAR MR. BEEK: Transmitted herewith is a report on roadside rests and parks, or wayside areas, as requested in Assembly Concurrent Resolution No. 91, adopted at the 1951 Regular Session. This resolution requested both the Department of Natural Resources and the Department of Public Works to report on this subject. The report is in two parts, one prepared by the Division of Beaches and Parks and the other by the Division of Highways, each emphasizing those phases of the subject within the province and experience of the respective agencies.

Sincerely,

WARREN T. HANNUM  
Director of Natural Resources  
FRANK B. DURKEE  
Director of Public Works

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE  
SACRAMENTO, January 12, 1953

*President of the Senate*  
*State Senate, State Capitol*  
*Sacramento, California*

DEAR MR. PRESIDENT: Item 345 (d) of the Budget Act of 1952 contains an appropriation to construct the first unit of the science building at the Kellogg Campus of the California State Polytechnic College with the following proviso:

"Except for amounts approved by the Director of Finance for preliminary plans, no expenditure shall be allowed for the project under (d) above until there has been filed with the Director of Finance a report which includes:

- "(1) A description of the proposed form of instruction and other activities to be carried on at the Kellogg Campus and its place in the State's higher education system,
- "(2) A master plan of the proposed ultimate physical development at the Kellogg Campus,
- "(3) The relationship between the Kellogg Campus and the present San Dimas Campus,
- "(4) The suitability of the Kellogg site for an agricultural college, and
- "(5) A full statement as to the limitations and obligations with respect to the State's title to the San Dimas and Kellogg Campus sites

and until such report has been transmitted to the Senate and Assembly at the 1953 regular session by the Director of Finance with his recommendations."



I am transmitting herewith copies of the following documents which have been filed with me by the Department of Education:

- (a) Report to the State Director of Finance on Developmental Plans for the Kellogg-Voorhis Campus, California State Polytechnic College.
- (b) Letter of Department of Education dated September 29, 1952, signed by the Director of Education accepting the report under (a) above and requesting favorable action thereon.
- (c) Prospectus—A Descriptive Report of the Expansion Plans of California State Polytechnic College, Voorhis-Kellogg Campus, prepared in 1951.
- (d) A master plan of the proposed ultimate physical development at the Kellogg Campus.

The questions of the ultimate size of the campus on the Kellogg site and the final determination of the form of instruction to be carried on at that campus are illustrations of the importance of a continuing comprehensive study of the needs of higher education in this State. According to the best population predictions available, the probable number of college students will soon tax existing and presently authorized colleges far beyond their capacity. You have previously authorized a joint staff of the University of California and the Department of Education consisting of one professional position in each agency. A minor increase is requested in this staff for 1953-54. The Legislature should consider the advisability of broadening this study group. While it is my opinion that the study should be made by other than fiscal officers, this department would be glad to render whatever assistance is necessary and desirable.

I do not believe, however, that there should be a complete postponement of all capital outlay on the Kellogg site to await the outcome of such a broad study. The policy of accepting the Kellogg Ranch as a gift for educational use by the California State Polytechnic College was passed upon by the Legislature in the adoption of Assembly Concurrent Resolution No. 100 in 1949 (Resolutions Chapter 190, 1949). It would certainly seem that regardless of whether the ultimate capacity of the Kellogg Campus reaches the number of 3,600 students mentioned in the report or is held to a smaller number, and regardless of whether its curriculum is limited to agricultural subjects or encompasses a broader field, a science building can be put to good use.

I believe the documents which I am transmitting meet the requirements of the above quoted proviso of the 1952 Budget Act. I am therefore allocating funds for preliminary plans so that a proposal to proceed with the construction of the science building may be submitted to the Public Works Board within the next few weeks. The board would then be in a position to authorize the project unless in the meantime the Legislature has taken some action to indicate that this program is not acceptable and directs us not to proceed.

Very truly yours,

JAMES S. DEAN, Director of Finance

cc: Honorable Ben Hulse  
Honorable Roy E. Simpson  
President Julian McPhee  
Mr. A. Alan Post

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 1**—Relative to Joint Rules of the Senate and Assembly;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of January, 1953, at 11 a.m.

POWERS, Chairman

### Committee on Transportation and Commerce

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

**Senate Concurrent Resolution No. 18**

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 7; absent 6.

COLLIER, Chairman

### Request for Unanimous Consent

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18**

**Senate Concurrent Resolution No. 18**—Relative to reducing tolls on the Golden Gate Bridge.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Kraft, McBride, McCarthy, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—22.

**NOES**—Senator Abshire—1.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 26

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were read:

**Assembly Concurrent Resolution No. 26**—Relative to the death of William Green.

Resolution read, and ordered placed on file.

**Assembly Concurrent Resolution No. 29**—Relative to the proposed site of the Los Angeles State College of Applied Arts and Sciences.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 82

Assembly Bill No. 301

Assembly Bill No. 1047

Assembly Bill No. 1124

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 82**—An act making an appropriation for the support of the Porterville State Home, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 301**—An act to amend Sections 154 and 7000 of the Welfare and Institutions Code, relating to the Fairview State Hospital, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 1047**—An act relating to certain lands granted to the City of Alameda by Chapter 348 of the Statutes of 1913, as amended, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1124**—An act to add Section 35855 to the Water Code and to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 231

Assembly Bill No. 840

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT A. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 231**—An act to add Section 7.5 to Chapter 1420 of the Statutes of 1951, relating to the compensation of attaches of superseded courts in Los Angeles County, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 840**—An act to amend Section 11716 of, and to add Sections 11716.1 and 11716.2 to, the Insurance Code, relating to workmen's compensation insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Financial Institutions.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 16

Assembly Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT A. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

**Assembly Concurrent Resolution No. 16**—Relative to the death of Chaim Weizmann.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 1**—Relative to removal of trees, brush, and debris in the area to be flooded by Folsom Dam.

**Request for Unanimous Consent**

Senator Harold T. Johnson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1**

**Assembly Joint Resolution No. 1**—Relative to removal of trees, brush, and debris in the area to be flooded by Folsom Dam.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Busch, Byrne, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Dilworth asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8**

**Assembly Concurrent Resolution No. 8**—Approving the charter of the City of Riverside, County of Riverside, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the sixteenth day of September, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McCarthy, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

**RESOLUTIONS**

The following resolution was offered:

By Senator Dilworth:

**Senate Resolution No. 36**

Relative to the continuance of the Senate Investigating Committee on Education and Philanthropic Foundations

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Investigating Committee on Education and Philanthropic Foundations created by Senate Resolution No. 183 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.



Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Rules makes the following suggestions for committee organization:

#### *Suggestions for Committee Organization*

The officers of this committee shall be a chairman, vice chairman, and secretary.

The chairman shall preside at meetings when present and when absent the vice chairman shall preside.

The secretary shall keep a complete record of the meetings and of action taken by the committee.

The committee shall meet in regular session, in Room \_\_\_\_\_, on \_\_\_\_\_ and \_\_\_\_\_ of each week, at the hour of \_\_\_\_\_. Adjourned meetings or special meetings shall be held at the time fixed in the adjourning motion or on the call for the special meeting.

Special meetings may be called by the chairman by giving at least three hours' notice, specifying the purpose of the meeting and the time and place thereof and the matters to be considered at such special meeting, and no bill or other formal matter shall be considered at such meeting other than those specified in the notice.

\_\_\_\_\_ members shall constitute a quorum and no bill shall be voted out of committee except on the affirmative vote of \_\_\_\_\_ members.

No bill shall be signed out of committee.

The chairman shall arrange the calendar for the various meetings and shall set bills to be heard at the various meetings and give notice thereof. No bills except those on the calendar shall be considered at any meeting except with the unanimous consent of those present. The calendar shall be made up at least twelve (12) hours before time of meeting. Notice of hearing of bills shall be given the author and such other persons requesting notice in writing. Bills will not be considered in the absence of the author without his consent. All bills shall be carefully considered and all controversial measures shall be fully and completely heard in such manner and at such time as the committee shall determine.

In controversial matters it may be advisable for the committee to take action in executive session.

Any bill laid upon the table shall not be removed unless one day's notice of intention to remove the same from the table shall have been first given. Reconsideration of the vote by which a bill is voted out, tabled or defeated, may be made at the same meeting or at a subsequent meeting upon at least one day's notice, in writing, to the chairman of the committee and no motion to reconsider a vote or to take it to the table at a subsequent meeting shall be considered unless one day's notice of intention to make such motion shall have been given.

The chairman shall direct the order of presentation of the arguments for and against matters for consideration by the committee and shall permit questions to be asked by the various members of the committee, in an orderly fashion and in keeping with proper decorum.

It shall be the duty of the Sergeant-at-Arms, or an Assistant Sergeant-at-Arms, to be present and maintain order during meetings of the committee.

Bills favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 12

Senate Resolution No. 30

Senate Resolution No. 29

Senate Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

## SENATE CHAMBER, SACRAMENTO, January 14, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 27

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Resolution No. 27, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE RESOLUTION NO. 27**

**Senate Resolution No. 27**—Relative to the creation of the Senate Special Committee on Civilian Defense.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On page 4, paragraph 7, of the typewritten resolution, after the words "sum of", insert "five thousand dollars (\$5,000.)"

Amendment read, and adopted.

Resolution ordered amended.

**Request for Unanimous Consent**

Senator Miller asked for, and was granted, unanimous consent to take up Senate Resolution No. 27, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 27, AS AMENDED**

**Senate Resolution No. 27**

Relative to the creation of the Senate Special Committee  
on Civilian Defense

WHEREAS, The problem of protecting civilian lives and property in this State from enemy attack is of paramount importance to this Legislature; and

WHEREAS, The enactment of effective legislation on civilian defense requires an understanding of resources of the federal, state and local governments available for use in protecting civilian lives and property; and

WHEREAS, Federal plans and legislation should be studied in order that the civilian defense program for this State will be correlated with the national program; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Special Committee on Civilian Defense is hereby created and authorized and directed to ascertain, study and analyze all facts relating to civil defense, disaster relief, civil and military services in connection therewith, federal legislation, resources, and plans for civil defense, state and local resources for civil defense, the most feasible means of providing financial support for civil defense, and the proper division of administrative and financial responsibility for civil defense between the state and local governments, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven members of the Senate appointed by the Rules Committee thereof. Vacancies occurring in the membership of the Committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report before final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The members of the committee and members of the committee's staff are authorized to do such traveling outside the State as is necessary to accomplish the purposes for which the committee has been created.

7. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Powers, Regan, Sutton, Tenney, Thompson, and Williams—26.

NOES—None.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Williams asked for, and was granted, unanimous consent to take up Senate Resolution No. 12, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 12

Relating to the continuance of the Senate Interim Committee on Fish and Game

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Fish and Game created by Senate Resolution 153 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the money heretofore made available to the committee, the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Powers, Thompson, Ward, Weybret, and Williams—22.  
NOES—None.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Resolution No. 29, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 29

##### Senate Resolution No. 29

Relative to the continuance of the Senate Committee on State and Local Taxation

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on State and Local Taxation, created by Senate Resolution No. 190 of the 1951 Regular Session, is continued as a Senate committee at this 1953 Regular Session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Powers, Tenney, Thompson, Ward, and Williams—21.  
NOES—None.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Burns asked for, and was granted, unanimous consent to take up Senate Resolution No. 30, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 30

##### Senate Resolution No. 30

Relative to the continuance of the Senate Fact Finding Committee on Un-American Activities

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact Finding Committee on Un-American Activities created by Senate Resolution No. 127 of the 1951 Regular Session is continued as a Senate committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.



4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Powers, Tenney, Thompson, and Ward—21.

NOES—None.

#### REQUEST FOR UNANIMOUS CONSENT

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Resolution No. 34, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 34

##### Senate Resolution No. 34

Relating to the continuance of the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems created by Senate Resolution 194 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the money heretofore made available to the committee, the sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Sutton, Tenney, Thompson, Ward, and Williams—25.

NOES—None.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Cunningham:

##### Senate Resolution No. 37

Relative to the death of Judge Dix Van Dyke

WHEREAS, It has come to the attention of the Members of the Senate that San Bernardino County and the State of California lost a most distinguished and colorful citizen when death closed the long career of Judge Dix Van Dyke of San Bernardino County, and

WHEREAS, Judge Dix Van Dyke, in addition to being one of the oldest in the point of service of the Justices of the Peace in the State of California, was a widely known historian and authority on the lore of the Mojave Desert Region, having retraced

pioneer trails, rediscovered forgotten camp grounds and watering holes, and contributed much valuable information about the part of the world he loved and understood, and

WHEREAS, Judge Van Dyke, among other achievements to his credit, pioneered in the growing of alfalfa on the desert and by virtue of his experiments succeeded in proving the Mojave River Valley an area of agricultural value, and

WHEREAS, James A. Guthrie, talented editor described Judge Van Dyke as "rugged and indomitable as the desert on which he spent most of his life" and says of him that "He dispensed justice with a firm but fair hand and delighted in propounding native desert philosophy with pronouncement of sentence. Tough and wiry as the desert sage brush itself, he explored every nook and cranny of the Mojave by horseback and on foot from the time of his arrival in Daggett in 1901 until just a few years ago when he made a concession to his advancing years only to the extent of agreeing to use a jeep instead of more rugged forms of transportation"; now, therefore, be it

*Resolved*, That the Senate of the State of California deplores the passing of this rugged and colorful character and desires by this resolution to pay its most profound respect to his memory, and to extend its sympathy to the bereaved members of his family, and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to forward an engrossed copy of this resolution to Mrs. George Golden of Daggett, surviving sister of the late Judge Dix Van Dyke.

Resolution read, and unanimously adopted on a motion of Senator Cunningham.

By Senator Cunningham :

#### Senate Resolution No. 38

##### Relative to purchasing Attorney General's Opinions

*Resolved by the Senate of the State of California*, That the Secretary of the Senate be, and he is hereby authorized and directed to purchase for the use of the Senate, the following: 39 subscriptions to the "Opinions of the Attorney General of California" for 1953 and 1954; 4 sets of back volumes of the "Opinions," each set comprising Volumes 1-18, inclusive, and 38 copies of "Five-year Consolidated Index" to the "Opinions."

Resolution read, and referred to Committee on Rules.

#### LETTER OF TRANSMITTAL

##### SPECIAL SENATE COMMITTEE ON LEGISLATIVE REPRESENTATION

##### SENATE CHAMBER, STATE CAPITOL

SACRAMENTO, January 5, 1953

*Hon. Goodwin J. Knight*

*President of the Senate*

*Senate Chamber, State Capitol*

*Sacramento, California*

MR. PRESIDENT: Pursuant to Chapter 8, Part 1, Subdivision 2 of Title 2 of the Government Code, and Rule 57 of the Standing Rules of the Senate, this committee was directed to study and analyze all facts relative to legislative representation and the regulation thereof, and report thereon at each General Session of the Legislature.

There is submitted herewith the report of the investigations and study of this committee made during 1951 and 1952.

Respectfully submitted,

F. PRESLEY ABSHIRE  
Chairman

#### MOTION TO PRINT REPORT

Senator Abshire moved that the letter of transmittal be printed in the Journal, and the report submitted by the Legislative Representation Committee be printed in the Appendix to the Journal, and that 1,000 copies be printed for distribution.

Motion passed.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1  
Senate Bill No. 2  
Senate Bill No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

Above bills ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 944:** By Senator Hulse—An act making an appropriation in connection with litigation concerning the Colorado River, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 945:** By Senator Powers—An act to create a commission to study alcoholism, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 946:** By Senator Gibson—An act to amend Section 16430 of the Education Code, relating to the safety of pupils and liability therefor.

Referred to Committee on Judiciary.

**Senate Bill No. 947:** By Senator Gibson—An act to amend Section 1027 of the Education Code, relating to the safety of pupils and liability therefor.

Referred to Committee on Judiciary.

**Senate Bill No. 948:** By Senator Desmond—An act to amend Section 451 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935) and Section 3254 of the Unemployment Insurance Code, relating to unemployment disability insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 949:** By Senator Desmond—An act to amend Section 451 of the Unemployment Insurance Act (Chapter 353 of the Statutes of 1935) and Section 3254 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 950:** By Senator Desmond—An act to amend Section 451 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935) and Section 3254 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 951:** By Senator Desmond—An act to add Section 1176.7 to the Insurance Code, relating to the authority of insurers to take purchase money mortgages.

Referred to Committee on Financial Institutions.

**Senate Bill No. 952:** By Senator Desmond—An act to amend Sections 10209 and 10270.6 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 953:** By Senators Cunningham and Way—An act to add Section 768.5 to, and to repeal Section 3546 of, the Public Utilities Code, relating to safety requirements applicable to highway common carriers, petroleum irregular route carriers, and petroleum contract carriers.

Referred to Committee on Public Utilities.

**Senate Bill No. 954:** By Senator Ward—An act to add a new section to the Civil Code, to be numbered 2272.1, relating to the powers of trustees.

Referred to Committee on Judiciary.

**Senate Bill No. 955:** By Senator Ward—An act to amend Section 2272 of the Civil Code, relating to execution of leases by trustees.

Referred to Committee on Judiciary.

**Senate Bill No. 956:** By Senator Ward—An act to amend Section 162 of the Probate Code, relating to payment of interest on legacies.

Referred to Committee on Judiciary.

**Senate Bill No. 957:** By Senator McBride—An act to amend Civil Code Section 2261 by adding a new subdivision therefor relating to the power of a court to authorize the trustee to change the form of a trust investment or asset constituting an undivided interest in real or personal property by partitioning the same pursuant to agreement with the other co-owners or by court action, and relating to the power of the court to confirm the action of the trustee in effecting such partition by agreement or by court action.

Referred to Committee on Judiciary.

**Senate Bill No. 958:** By Senator McBride—An act to amend Section 3392 of the Financial Code, relating to use of words indicating that one is engaged in the banking business and to use of corporate names by building and loan associations.

Referred to Committee on Financial Institutions.

**Senate Bill No. 959:** By Senator McBride—An act to add a new section to the Revenue and Taxation Code, to be numbered 6365, relating to the exemption from the sales tax of certain sales by executors and administrators.

Referred to Committee on Revenue and Taxation.



**Senate Bill No. 960:** By Senators McBride and Grunsky—An act to amend Sections 5010, 5258, 5508, 6001, 6511, 6512, 6513, 6560, 6561, 7205, 7410, 7651, 7900, 8706, and 8707, relating to savings and loan associations and the administration of the law with respect thereto.

Referred to Committee on Financial Institutions.

**Senate Bill No. 961:** By Senators McBride and Grunsky—An act to amend Article 1 of Chapter 9 of Part 1 of Division 2 of the Financial Code, comprising Sections 6900 to 6910, inclusive, of said code, relating to reserves of, and restrictions on, savings and loan associations, and to amend the headings of said Chapter 9 and of said Article 1.

Referred to Committee on Financial Institutions.

**Senate Bill No. 962:** By Senator McBride—An act to amend Code of Civil Procedure Section 754, relating to the necessity of making the trustee or beneficiaries of an express trust parties to an action for partition.

Referred to Committee on Judiciary.

**Senate Bill No. 963:** By Senator McBride—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers in purchases, sales and loans of admitted insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 964:** By Senator McBride—An act to amend Code of Civil Procedure, Section 763, relating to the discretion of the court to order a sale or a partition where the property or an undivided interest therein is subject to an express trust and the equitable remainder is an equitable contingent remainder.

Referred to Committee on Judiciary.

**Senate Bill No. 965:** By Senator Thompson—An act to amend Section 20373 of the Education Code, relating to state employees.

Referred to Committee on Education.

**Senate Bill No. 966:** By Senator Thompson—An act to amend Section 20383.5 of the Education Code, relating to leaves of absence of State college employees.

Referred to Committee on Education.

**Senate Bill No. 967:** By Senator Thompson—An act to amend Sections 20391 and 20392.5 of the Education Code, relating to employees of state colleges.

Referred to Committee on Education.

**Senate Bill No. 968:** By Senator Donnelly—An act to amend Section 417 of the Education Code, relating to county superintendents.

Referred to Committee on Education.

**Senate Bill No. 969:** By Senator Donnelly—An act to amend Section 28117 of the Government Code, relating to compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 970:** By Senator Weybret—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 971:** By Senator Weybret—An act to amend Section 4453 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 972:** By Senator Weybret—An act to amend Sections 111, 112, and 115 of the Labor Code, and to repeal Section 114 of that code, relating to the administration of workmen's compensation insurance.

Referred to Committee on Labor.

**Senate Bill No. 973:** By Senator Weybret—An act to add a new Section 5005 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 974:** By Senator Weybret—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 975:** By Senator Weybret—An act to amend Sections 3208 and 4663 of the Labor Code, and to add new Sections 3600.5 and 3600.6 to said code, all relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 976:** By Senator Sutton—An act to amend Section 28143 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 977:** By Senator Sutton—An act to amend Section 28140 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 978:** By Senator Sutton—An act to amend Section 28148 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 979:** By Senator Thompson—An act to amend Sections 21296 and 21298 of the Government Code, relating to the State Employees' Retirement System in respect to minimum disability retirement allowances for state and local miscellaneous members.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 980:** By Senator Thompson—An act to amend Section 6801 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 981:** By Senator Thompson—An act to amend Section 6811 of the Education Code, relating to the Public School System.  
Referred to Committee on Education.

**Senate Bill No. 982:** By Senator Thompson—An act to amend Section 7102.2 of the Education Code, relating to the Public School System.  
Referred to Committee on Education.

**Senate Bill No. 983:** By Senator Parkman—An act to amend Section 31692 of the Government Code, relating to members of county employees retirement systems in respect to employment of persons who have attained the age of compulsory retirement.

Referred to Committee on Local Government.

**Senate Bill No. 984:** By Senator Tenney—An act to amend Section 34 of the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949), to amend Section 1269b of, to add Section 1269e to, and to amend Section 1295 of, the Penal Code, all relating to municipal and justice courts, authority to fix and accept bail, and deposit in lieu of bail.

Referred to Committee on Judiciary.

**Senate Bill No. 985:** By Senator Tenney—An act to amend Section 89 of the Code of Civil Procedure, relating to the jurisdiction of municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 986:** By Senator Tenney—An act to amend Section 2 of Chapter 1419 of the Statutes of 1951, relating to the number and compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 987:** By Senator Tenney—An act to add Section 12 to Chapter 1420 of the Statutes of 1951, relating to the clerk's and marshal's offices in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 988:** By Senator Tenney—An act to add Section 10 to Chapter 1420 of the Statutes of 1951, relating to the duties of marshals in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 989:** By Senator Tenney—An act to add Section 11 to Chapter 1420 of the Statutes of 1951, relative to marshals.

Referred to Committee on Judiciary.

**Senate Bill No. 990:** By Senator Tenney—An act to amend Section 12.5 of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to the compensation of municipal court judges in Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 991:** By Senator Tenney—An act to amend Section 1 of Chapter 1420 of the Statutes of 1951, relating to the compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 992:** By Senator Tenney—An act to amend Section 12 of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to residential qualifications of attaches of municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 993:** By Senator Tenney—An act to amend Section 12.5 of the Municipal Court Act of 1925 (Chapter 358, Statutes of 1925), relating to compensation of Municipal Court judges in Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 994:** By Senator Tenney—An act to amend Sections 1, 2, 3, 4, 5, and 6 of "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," approved July 10, 1951.

Referred to Committee on Judiciary.

**Senate Bill No. 995:** By Senator Tenney—An act to repeal Section 7 of Chapter 1420 of the Statutes of 1951 and Section 4 of Chapter 1765 of the Statutes of 1951, and to amend Section 1 of Chapter 1420 of the Statutes of 1951, and creating a Court Service Division of the municipal court of the judicial district embracing the City of Los Angeles, and providing for the establishment of Court Service Divisions in the municipal courts of Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 996:** By Senator Tenney—An act to create a Court Service Division of the municipal court of the judicial district embracing the City of Los Angeles, and providing for the establishment of Court Service Divisions in the municipal courts of Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 997:** By Senator Tenney—An act to amend Section 35 of the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949), relating to temporary appointments in municipal and justice courts.

Referred to Committee on Judiciary.

**Senate Bill No. 998:** By Senator Tenney—An act to amend Section 2 of Chapter 1419 of the Statutes of 1951, relating to compensation of judges of municipal courts in judicial districts in Los Angeles County.

Referred to Committee on Local Government.



**Senate Bill No. 999:** By Senator Tenney—An act to repeal Section 7 of Chapter 1420 of the Statutes of 1951 and Section 4 of Chapter 1765 of the Statutes of 1951, relating to marshals of the municipal courts in Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 1000:** By Senator Tenney—An act to amend Section 10 of the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949), relating to civil service in municipal and justice courts.

Referred to Committee on Local Government.

**Senate Bill No. 1001:** By Senator Tenney—An act to repeal Section 7 of Chapter 1420 of the Statutes of 1951 and Section 4 of Chapter 1765 of the Statutes of 1951, and to amend Section 1 of Chapter 1420 of the Statutes of 1951, relating to marshals of the municipal courts in Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 1002:** By Senator Tenney—An act to amend Section 105 of the Code of Civil Procedure, relating to municipal and justice courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1003:** By Senator Tenney—An act to amend Section 117j to the Code of Civil Procedure, relating to notice of entry of judgments and appeals in small claims actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1004:** By Senator Tenney—An act to amend Section 117d of the Code of Civil Procedure, relating to the time limits in small claims actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1005:** By Senator Tenney—An act to amend Section 117c of the Code of Civil Procedure, relating to copies of the affidavit and the service of defendants in small claims actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1006:** By Senator Tenney—An act to amend Section 117h of the Code of Civil Procedure, relating to counterclaims and cross-complaints in small claims courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1007:** By Senator Tenney—An act to amend Section 117ll of the Code of Civil Procedure, relating to deposits in lieu of bond on appeal in small claims courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1008:** By Senator Tenney—An act to amend Section 117p of the Code of Civil Procedure, relating to mailing fees in small court actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1009:** By Senator Tenney—An act to amend Section 5 of, and to add Sections 1.5, 8.5, 8.6, 8.7, 8.8, and 9.5 to the Dangerous Weapons Control Law, relating to the control of deadly weapons.

Referred to Committee on Judiciary.

**Senate Bill No. 1010:** By Senator Tenney—An act to amend Sections 11712, 11713, and 11714, of the Health and Safety Code, and Section 1203 of the Penal Code, relating to narcotics.

Referred to Committee on Judiciary.

**Senate Bill No. 1011:** By Senator Tenney—An act to amend Section 1428 of, and to repeal Section 1428a of, the Penal Code, relating to records of inferior courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1012:** By Senator Tenney—An act to add Section 9 to Chapter 1420 of the Statutes of 1951 and Section 72653 to the Government Code, relating to bailiffs of the municipal courts in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1013:** By Senator Tenney—An act to add Section 8 to Chapter 1420 of the Statutes of 1951, and Section 72604 to the Government Code, relating to the clerk's and marshal's offices in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1014:** By Senator Tenney—An act to amend Section 420 of the Government Code, relating to the State Flag.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1015:** By Senator Tenney—An act amending Section 31641 of, and adding Sections 31470.7, 31478, 31479, 31563, 31641.1, 31641.2, 31641.3, 31641.4, 31641.6, 31641.7, 31641.8, and 31641.9 to the Government Code, relating to retirement systems.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1016:** By Senator Tenney—An act to add Section 21203.5 to the Government Code, relating to retirement rights of patrol members of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1017:** By Senator Tenney—An act to amend Section 20024 of the Government Code, relating to the State Employees' Retirement System in respect to the definition of final compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1018:** By Senator Tenney—An act to amend Section 13552 of the Government Code, relating to prices to be charged for state printing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1019:** By Senator Tenney—An act to amend Section 3904 of the Corporations Code, relating to corporations and annexation of certificate to instrument of conveyance and the presumption arising from absence of certificate.

Referred to Committee on Judiciary.

**Senate Bill No. 1020:** By Senator Tenney—An act to amend Section 673 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1021:** By Senator Tenney—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1022:** By Senator Tenney—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Referred to Committee on Education.

**Senate Bill No. 1023:** By Senator Tenney—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of police departments and the State Highway Patrol.

Referred to Committee on Labor.

**Senate Bill No. 1024:** By Senator Tenney—An act to amend Section 44.8 of the Vehicle Code, relating to emergency vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1025:** By Senator Tenney—An act to amend Section 16 of the Los Angeles County Flood Control Act (Chapter 755, 1915 Statutes), relating to Los Angeles County Flood Control District.

Referred to Committee on Water Resources.

**Senate Bill No. 1026:** By Senator Tenney—An act to amend Section 1248 of the Code of Civil Procedure, relating to condemnation suits.

Referred to Committee on Judiciary.

**Senate Bill No. 1027:** By Senator Tenney—An act to amend Section 3 of Chapter 1419 of the Statutes of 1951, and to amend Section 72602 of the Government Code, relating to municipal courts in judicial districts in Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 1028:** By Senator Tenney—An act to amend Section 12.5 of the Municipal Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the number and compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1029:** By Senator Tenney—An act to amend Section 72708 of the Government Code, relating to the traffic commissioner in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1030:** By Senator Tenney—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Referred to Committee on Judiciary.

**Senate Bill No. 1031:** By Senator Tenney—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Referred to Committee on Judiciary.

**Senate Bill No. 1032:** By Senator Tenney—An act to amend Section 72707 of the Government Code, relating to secretary and jury commissioner in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1033:** By Senator Tenney—An act to amend Section 72709 of the Government Code, relating to attaches in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1034:** By Senator Tenney—An act to amend Section 7d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulations, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1035:** By Senator Tenney—An act to amend Section 72706 of the Government Code, relating to commissioners in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.



**Senate Bill No. 1036:** By Senator Tenney—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 1037:** By Senator Tenney—An act prescribing the powers and duties of the judges of the municipal courts in Los Angeles County in matters of common concern, and to provide for methods and procedures for their common action.

Referred to Committee on Judiciary.

**Senate Bill No. 1038:** By Senator Tenney—An act to amend Section 72603 of the Government Code, relating to sessions of court in a city which might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution.

Referred to Committee on Judiciary.

**Senate Bill No. 1039:** By Senator Tenney—An act to add Section 72716 to the Government Code, relating to closing of the municipal court in the Los Angeles Judicial District on Saturday.

Referred to Committee on Judiciary.

**Senate Bill No. 1040:** By Senator Tenney—An act to amend Section 72704 of the Government Code, relating to the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1041:** By Senator Tenney—An act to amend Section 72703 of the Government Code, relating to the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of Los Angeles.

Referred to Committee on Local Government.

**Senate Bill No. 1042:** By Senator Tenney—An act to amend Section 72702 of the Government Code, relating to the clerk in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1043:** By Senator Tenney—An act to amend Section 72701 of the Government Code, relating to the referee in the municipal court established in a judicial district embracing the City of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1044:** By Senator Tenney—An act to amend Section 1 of "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," approved July 10, 1951.

Referred to Committee on Local Government.

**Senate Bill No. 1045:** By Senator Tenney—An act to amend Section 6704 of the Government Code, relating to holidays.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1046:** By Senator Tenney—An act to amend Section 72601 of the Government Code, relating to judges of municipal courts in Los Angeles County.

Referred to Committee on Judiciary.

**Senate Bill No. 1047:** By Senator Tenney—An act to add Section 1760.1 to the Code of Civil Procedure, relating to conciliation proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 1048:** By Senator Tenney—An act to amend Section 3 of Chapter 1510 of Laws of 1949 effective November 7, 1950, as amended by Statutes of 1951, Chapters 583, 1082, 1187, 1296, 1394, and 1684, relating to judges, officers, and attaches of municipal courts by adding thereto Sections 3b and 3c.

Referred to Committee on Judiciary.

**Senate Bill No. 1049:** By Senators Tenney, Erhart, Sutton, and Desmond—An act to add Section 19585.5 to the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1050:** By Senators Tenney, Erhart, and Desmond—An act to add Section 19590 to the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1051:** By Senators Tenney, Erhart, Sutton, and Desmond—An act to add Section 19635 to the Government Code, relating to state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1052:** By Senators Tenney, Erhart, and Desmond—An act to add Section 19575.5 to the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1053:** By Senators Tenney, Erhart, and Desmond—An act to amend Section 19574 of the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1054:** By Senator Tenney—An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to the exemption of the State, cities, counties, districts, and other public agencies from sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1055:** By Senator Tenney—An act to amend Sections 1, 2, 3, 4, and 5 of, and to add Section 8 to, Chapter 1420 of the Statutes of 1951, relating to officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

Referred to Committee on Judiciary.

**Senate Bill No. 1056:** By Senator Powers—An act to add Section 19539.5 to the Business and Professions Code and amend Section 19534 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1057:** By Senator Collier—An act to add Section 1238.4 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

**Senate Bill No. 1058:** By Senator Parkman—An act to add Section 54.1 to the Alcoholic Beverage Control Act relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1059:** By Senator Dorsey—An act to add Section 1017 to the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 1060:** By Senator Dorsey—An act to add Section 53200.1 to the Government Code, relating to county group insurance plans.

Referred to Committee on Local Government.

**Senate Bill No. 1061:** By Senators Regan, Burns, Brown, Harold T. Johnson, Hatfield, Powers, and Hulse—An act to provide for the raising of increased revenues for highway purposes and for the expenditure thereof and in connection therewith to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 379, 372, and 381 of the Vehicle Code, and Sections 186, 188, 188.4, and 825, 30218, and 30306 of the Streets and Highways Code, to add Section 186.5 to, and to repeal Sections 187 and 189 of, the Streets and Highways Code.

Referred to Committee on Transportation.

**Senate Bill No. 1062:** By Senator Cunningham—An act to add Section 259b to the Code of Civil Procedure and to amend Section 70146 of the Government Code, relating to court commissioners.

Referred to Committee on Judiciary.

**Senate Bill No. 1063:** By Senator Cunningham—An act to amend Sections 69594 and 69676 of the Government Code, relating to judges of the Superior Court in and for the County of San Bernardino.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1064:** By Senator Tenney—An act to amend Sections 631, 631.3, and 631.5 of the Code of Civil Procedure, to amend Sections 28112, 28132, and 28151 of, and to add Sections 26826.5, 28100, and 29619 to, the Government Code, relating to juries.

Referred to Committee on Judiciary.

**Senate Bill No. 1065:** By Senator Thompson—An act to add Section 5307.5 to the Labor Code, relating to the powers of the Industrial Accident Commission.

Referred to Committee on Labor.

**Senate Bill No. 1066:** By Senator Thompson—An act to amend Section 5307 of the Labor Code, relating to the powers of the Industrial Accident Commission.

Referred to Committee on Labor.

**Senate Bill No. 1067:** By Senator Thompson—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Referred to Committee on Agriculture.

**Senate Bill No. 1068:** By Senator Williams—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1069:** By Senator Williams—An act to amend Sections 1065, 1066, 1067, and 1071 of, to add Sections 1065.5 and 1066.5, to, and to repeal Section 1070 of, the Fish and Game Code, relating to fish, and declaring the urgency thereof.

Referred to Committee on Fish and Game.

**Senate Bill No. 1070:** By Senator Williams—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1071:** By Senator Weybret—An act to add Section 225r to the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

**Senate Bill No. 1072:** By Senator Harold T. Johnson—An act to add Section 24105 to the Government Code, relating to the temporary discharge of duties by deputies during vacancy in office.

Referred to Committee on Local Government.

**Senate Bill No. 1073:** By Senator Harold T. Johnson—An act to amend Section 37111 of the Government Code, relating to the powers of cities.

Referred to Committee on Local Government.

**Senate Bill No. 1074:** By Senator Sutton—An act to add Section 1151.5 to the Insurance Code, relating to the ownership of real property.

Referred to Committee on Financial Institutions.



**Senate Bill No. 1075:** By Senator Ward—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1076:** By Senator Ward—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps.

Referred to Committee on Social Welfare.

**Senate Bill No. 1077:** By Senator Brown—An act to amend Section 60 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1078:** By Senator Brown—An act to add Section 54.2 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1079:** By Senator Brown—An act to amend Section 6357 of the Public Resources Code, relating to the State Lands Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1080:** By Senator Brown—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1081:** By Senator Brown—An act to add Section 6856 to the Public Resources Code, relating to the leasing of state lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1082:** By Senator Regan—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 1083:** By Senator Regan—An act to amend Section 98.7 of the Code of Civil Procedure, relating to fees of justice courts in civil actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1084:** By Senator Regan—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Transportation.

**Senate Bill No. 1085:** By Senator Powers—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

**Senate Bill No. 1086:** By Senator Powers—An act to repeal Section 2980.5 of the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Referred to Committee on Agriculture.

**Senate Bill No. 1087:** By Senator Desmond—An act to amend Section 20502 of the Education Code, relating to the purchase of equipment in state colleges.

Referred to Committee on Education.

**Senate Bill No. 1088:** By Senators Regan and Way—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Referred to Committee on Transportation.

**Senate Bill No. 1089:** By Senator Regan—An act to free certain lands from the public trust for navigation and fisheries, and providing for actions against the State to quiet title and to determine the validity of the title to such lands.

Referred to Committee on Judiciary.

**Senate Bill No. 1090:** By Senator Regan—An act to amend Section 697 of the Vehicle Code, relating to length of vehicles, by adding a new section thereto to be numbered Section 697.2.

Referred to Committee on Transportation.

**Senate Bill No. 1091:** By Senator Desmond—An act to amend Section 736.13 of the Agricultural Code, relating to wholesale and retail prices for fluid milk and fluid cream and products thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1092:** By Senator Desmond—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

**Senate Bill No. 1093:** By Senator Desmond—An act to add Section 194.5 to the Streets and Highways Code, and to add Section 11005.5 to the Revenue and Taxation Code, relating to the allocation of funds to inactive cities.

Referred to Committee on Local Government.

**Senate Bill No. 1094:** By Senator Desmond—An act to amend Section 4002 of the Health and Safety Code, relating to ice.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1095:** By Senator Desmond—An act to add Section 1192.4 to the Insurance Code, relating to investment of insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1096:** By Senator Desmond—An act to add Sections 12265 and 12627 to the Revenue and Taxation Code, relating to the taxation of contributions paid into the Unemployment Compensation Disability Insurance Fund and relating to the collection of state taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1097:** By Senator Desmond—An act to add Section 9606.5 to the Revenue and Taxation Code, relating to the taxation of persons carrying mail under contract for the United States.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1098:** By Senator Desmond—An act to amend Sections 28111, 28116, 28120, 28130, 28133, 28140, 28142, 28150, and to repeal Sections 28115 and 28148 of the Health and Safety Code, relating to cold storage.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1099:** By Senator Busch—An act amending Section 327 of the Revenue and Taxation Code, relating to assessment of lands.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1100:** By Senators Regan, Hulse, Ward, Collier, and Powers—An act to amend Section 1463 of the Penal Code and Sections 770 and 771 of the Vehicle Code, relating to disposition of fines and forfeitures.

Referred to Committee on Judiciary.

**Senate Bill No. 1101:** By Senators Sutton and Erhart—An act to amend and renumber Section 191 of, and to add Section 276.5 to, the Fish and Game Code, relating to fish and game refuges.

Referred to Committee on Fish and Game.

**Senate Bill No. 1102:** By Senators Sutton and Erhart—An act to add Section 131.1 to the Streets and Highways Code, relating to wayside rest areas.

Referred to Committee on Transportation.

**Senate Bill No. 1103:** By Senators Sutton and Erhart—An act to add Section 105.5 to the Streets and Highways Code, relating to wayside rest and turnout areas.

Referred to Committee on Transportation.

**Senate Bill No. 1104:** By Senators Sutton and Erhart—An act to add Section 838 to the Streets and Highways Code, relating to abandonment of highways.

Referred to Committee on Transportation.

**Senate Bill No. 1105:** By Senator Mayo—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921,

3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections.

**Senate Bill No. 1106:** By Senator Brown—An act to amend Sections 35119 and 35121 of the Government Code, relating to cities.

Referred to Committee on Local Government.

**Senate Bill No. 1107:** By Senator Regan—An act to amend Section 2769 of the Penal Code, relating to prison road camps.

Referred to Committee on Judiciary.

**Senate Bill No. 1108:** By Senator Regan—An act to amend Section 2769 of the Penal Code, relating to prison road camps.

Referred to Committee on Judiciary.

**Senate Bill No. 1109:** By Senator Miller—An act to amend Section 20111 of the Health and Safety Code, relating to police protection districts.

Referred to Committee on Local Government.

**Senate Bill No. 1110:** By Senator Miller—An act to repeal Division 3, Title 5, comprising Sections 60000 to 60891, inclusive, of the Government Code, relating to community services districts.

Referred to Committee on Local Government.

**Senate Bill No. 1111:** By Senator Ed. C. Johnson—An act creating the Yuba County Flood Control and Water Conservation District, prescribing for its organization, powers, and duties.

Referred to Committee on Water Resources.

**Senate Bill No. 1112:** By Senators Busch, Sutton, Way, Harold T. Johnson, Ed. C. Johnson, and Berry—An act to amend Section 315 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 1113:** By Senators Busch, Sutton, Way, Harold T. Johnson, and Ed. C. Johnson—An act making an appropriation with respect to the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 1114:** By Senator Weybret—An act to amend Section 1300.12 of the Agricultural Code, relating to definitions of terms used in the California Marketing Act of 1937.

Referred to Committee on Agriculture.

**Senate Bill No. 1115:** By Senator Regan—An act to amend Section 771 of the Vehicle Code, relating to disposition of fines and forfeitures following arrests made by county or state officers.

Referred to Committee on Local Government.



**Senate Bill No. 1116:** By Senator Regan—An act to amend Section 126, and to repeal Section 120, of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1117:** By Senator Dilworth—An act to add Section 7714.1 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1118:** By Senator Dilworth—An act to amend Section 8728 of the Education Code, relating to tuition for persons residing in elementary school district and not in high school districts.

Referred to Committee on Education.

**Senate Bill No. 1119:** By Senator Dilworth—An act relating to the state teletypewriter system.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1120:** By Senator Dilworth—An act to amend Sections 3431, 3461, 3462, 3491, 3492, 3591, and 3661 of the Education Code, relating to high school district organization.

Referred to Committee on Education.

**Senate Bill No. 1121:** By Senator Donnelly—An act to amend Section 551 of the Vehicle Code, relating to right of way at intersections.

Referred to Committee on Transportation.

**Senate Bill No. 1122:** By Senator Miller—An act to add Title 6 to the Corporations Code, relating to charities.

Referred to Committee on Financial Institutions.

**Senate Joint Resolution No. 12:** By Senators Donnelly, Gibson, Tenney, McCarthy, Kraft, Murdy, Byrne, Grunsky, Coombs, Dorsey, Burns, Regan, Berry, Ward, Hoffman, Sutton, Dilworth, Abshire, Parkman, Desmond, Montgomery, Erhart, Weybret, Way, McBride, Cunningham, Harold T. Johnson, Williams, Brown, Ed. C. Johnson, Hulse, Collier, Breed, Thompson, Powers, Hatfield, and Miller—Relative to requesting the Congress of the United States to adopt and submit an amendment to the Constitution pertaining to treaties and executive agreements.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Senator Miller:

### Senate Resolution No. 39

Relative to augmenting the funds of the Senate Interim Committee on Nursing Problems

*Resolved by the Senate of the State of California,* That in addition to any money heretofore made available to it, the sum of three thousand five hundred dollars (\$3,500) is hereby made available to the Senate Interim Committee on Nursing Problems created by Senate Resolution No. 214 of the 1951 General Session, from the Contingent Fund of the Senate for the expenses of the committee and its members and

for any charges, expenses or claims it may incur under said resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred: Assembly Bill No. 840

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

##### Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 944

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

HULSE, Chairman

Above reported bill ordered to second reading.

##### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 1047

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

PARKMAN, Chairman

Above reported bill ordered to second reading.

##### Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, January 15, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Joint Resolution No. 4

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Vice Chairman

Above reported resolution ordered to second reading.

#### ADJOURNMENT

At 4.37 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, January 16, 1953.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, January 16, 1953

The Senate met at 10:30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:  
Senator Mayo, on motion of Senator Burns, due to illness.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry Leiter of Pismo Beach.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Kenneth H. Hess of Ventura.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator Dan Williams and Mrs. Williams of Sacramento.

On request of Senator Abshire, the privileges of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. K. O. Patteson of Geyserville.

On request of Senators Hatfield and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Anthony Ferreira, Sr., and Mr. and Mrs. Anthony Ferreira, Jr., of Turlock.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. R. L. Collinson of the California State Veterinary Medical Assn., Turlock.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George W. Williams of Marysville and B. M. Williams of Vallejo.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Colby G. Smith and John F. Reginato of Redding.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Bayles and Seth Millington of Biggs.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clyde W. Hendrickson and Norma Kellan of San Francisco.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Dolson, Diana Dolson, Doris Bodes, and Ronald Barton of Modesto.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

#### LETTER OF TRANSMITTAL

STATE WATER RESOURCES BOARD  
SACRAMENTO, January 15, 1953

Hon. Joseph A. Beck  
Secretary of the Senate  
State Capitol  
Sacramento, California

DEAR MR. BECK: I have the honor to transmit herewith a report of the State Water Resources Board as directed by Section 11 of the Flood Control Fund Act of 1946, as amended, respecting monies reallocated under said act to public agencies by the State Water Resources Board for the period ending December 31, 1952.

In summary, the report shows that the total sum reallocated by the Board to December 31, 1952, is \$8,950,295.49; total applications for the period January 1, 1951 to December 31, 1952, amounted to \$6,011,624.74; reallocations for the period totaled \$2,823,594.23; applications pending totaled \$651,957.73; and payments denied totaled \$1,536,072.78.

Very truly yours,

C. A. GRIFFITH, Chairman

Report ordered filed with the Secretary of the Senate.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 1**—An act to amend Section 155.6 of the Revenue and Taxation Code, relating to the assessment of property damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately;



**Senate Bill No. 2**—An act to amend Section 1 of Chapter 15 of the Second Extraordinary Session of 1952, relating to the revision of budgets of cities, counties, and districts after the occurrence of an earthquake, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 3**—An act to amend Section 43005 of the Government Code, relating to taxes levied by cities, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of January, 1953, at 10 a.m.

POWERS, Chairman

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 15, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

VERY REVEREND MONSIGNOR THOMAS A. KIRBY, a resident of Sacramento; Chancellor of the Diocese of Sacramento;

to the Board of Trustees, DeWitt State Hospital, vice C. H. Barker deceased, for the term prescribed by law, ending four years from the date of commission.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

### Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 82

Assembly Bill No. 301

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

HULSE, Chairman

Above reported bills ordered to third reading.

### Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 82, at this time, for consideration.

### CONSIDERATION OF ASSEMBLY BILL NO. 82

**Assembly Bill No. 82**—An act making an appropriation for the support of the Porterville State Home, to take effect immediately.

Bill read second time.

### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Williams:

*Resolved*, That Senate Bill No. 944 and Assembly Bills Nos. 82, 301, 840, and 1047 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, considered engrossed, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, Williams—33.  
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 944 AND  
ASSEMBLY BILLS NOS. 82, 301, 840, and 1047

**Assembly Bill No. 82**—An act making an appropriation for the support of the Porterville State Home, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 82:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Assembly Bill No. 82, "An act making an appropriation for the support of the Porterville State Home, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

Assembly Bill 82 makes an appropriation for the support of the Porterville State Home for the current fiscal year. This home will be occupied earlier than had been anticipated and it is necessary, therefore, to make available immediately an appropriation of \$542,802 for the support of the home during the remainder of the current fiscal year.

I therefore recommend consideration of Assembly Bill No. 82 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Ashlire, Berry, Breed, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Murdy asked for, and was granted, unanimous consent to take up Assembly Bill No. 301, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 301**

**Assembly Bill No. 301**—An act to amend Sections 154 and 7000 of the Welfare and Institutions Code, relating to the Fairview State Hospital, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 301**—An act to amend Sections 154 and 7000 of the Welfare and Institutions Code, relating to the Fairview State Hospital, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 301:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 13, 1953*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Assembly Bill No. 301, "An act to amend Sections 154 and 7000 of the Welfare and Institutions Code, relating to the Fairview State Hospital, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill provides an appropriation to permit the undertaking of immediate construction of the Fairview State Hospital at Costa Mesa. The facilities of this hospital are so badly needed that there should be no delay in its construction.

I therefore recommend consideration of Assembly Bill No. 301 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 944**—An act making an appropriation in connection with litigation concerning the Colorado River, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 840**—An act to amend Section 11716 of, and to add Sections 11716.1 and 11716.2 to, the Insurance Code, relating to workmen's compensation insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1047**—An act relating to certain lands granted to the City of Alameda by Chapter 348 of the Statutes of 1913, as amended, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Joint Resolution No. 4**—Relative to requesting the Fish and Wildlife Service of the United States Department of the Interior to establish a special season for the taking of migratory game birds.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "Imperial", insert "and Coachella".

**Amendment No. 2**

On page 1, line 14, of the printed bill, strike out "Valley", and insert "Valleys".

**Amendment No. 3**

On page 2, line 5, of the printed bill, after "Imperial", insert "and Coachella".

**Amendment No. 4**

On page 2, line 5, of the printed bill, strike out "Valley", and insert "Valleys".

**Amendment No. 5**

On page 2, line 18, of the printed bill, after "Imperial", insert "and Coachella".

**Amendment No. 6**

On page 2, line 18, of the printed bill, strike out "Valley", and insert "Valleys".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

**Request for Unanimous Consent**

Senator McBride asked for, and was granted, unanimous consent to take up Assembly Bill No. 840, at this time, for final passage.

**CONSIDERATION OF ASSEMBLY BILL NO. 840**

**Assembly Bill No. 840**—An act to amend Section 11716 of, and to add Sections 11716.1 and 11716.2 to, the Insurance Code, relating to workmen's compensation insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 1047, at this time, for final passage.

**CONSIDERATION OF ASSEMBLY BILL NO. 1047**

**Assembly Bill No. 1047**—An act relating to certain lands granted to the City of Alameda by Chapter 348 of the Statutes of 1913, as amended, declaring the urgency thereof, to take effect immediately.

Bill read third time.



**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Sutton asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, January 13, 1953

*Hon. Louis G. Sutton*

*Senate Chamber*

*Seepage Damage—No. 5214*

DEAR SENATOR SUTTON:

*Question*

You have asked if the United States must pay compensation for seepage damage brought about by artificially maintaining the flow of a navigable river. As we understand it, you have particular reference to the Sacramento River.

*Opinion*

It is our opinion that the United States must pay compensation for damage to property riparian to a navigable river due to seepage brought about by artificially maintaining, in the interests of navigation, the stream flow *above* the high water mark.

With respect to the Sacramento River, if its flow is artificially maintained in connection with the Central Valley Project, a reclamation project, we believe that the United States must pay just compensation for any property damaged because of seepage resulting from artificially maintaining the stream flow in connection with that project.

*Analysis*

There can be no question but that if private lands are flooded or rendered unusable because of seepage from a river by artificially maintaining the stream flow of that river, it would constitute a taking of property. (*United States v. Cress* (1916), 243 U. S. 316, 61 L. Ed. 746.) The question before us, then, is whether or not such a taking is one for which the United States is required to pay compensation under the Fifth Amendment of the Federal Constitution, which provides that property cannot be taken without just compensation unless such action falls within the federal police power or some other paramount power. (*Lynch v. United States* (1933), 292 U. S. 57, 78 L. Ed. 1434.) It is well established

that the United States has the power to improve its navigable waters in the interest of navigation without liability for damage resulting to property of the riparian owners as against improvements of navigation below high water mark. (See *United States v. Willow River Power Co.* (1945), 324 U. S. 499, 89 L. Ed. 1101.) On the other hand, lands above the high water mark are fast lands and to flood them is a taking for which compensation must be paid. (*United States v. Kansas City Life Ins. Co.* (1950), 339 U. S. 799, 94 L. Ed. 1277.)

Thus, if the stream flow is artificially maintained, in the interests of navigation, compensation must be paid for seepage damage if the damage resulted from the maintenance of the flow above the high water mark; but not for damage resulting from maintenance of the flow below the high water mark.

As we understand it, however, you are particularly concerned with seepage damage along the Sacramento River caused by the artificial maintenance of its flow in connection with the operation of the Central Valley Project.

In *United States v. Gerlach Livestock Co.* (1949), 339 U. S. 725, 94 L. Ed. 1231, the United States Supreme Court stated, in part:

"When it 'reauthorized' the Central Valley undertaking, Congress in the same Act provided that 'the provisions of the reclamation law, as amended, shall govern the repayment of expenditures and the construction, operation, and maintenance of the dams, canals, power plants, pumping plants, transmission lines, and incidental works deemed necessary to the entire project, . . . and may acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, water rights, and other property necessary for said purposes:' . . .

" . . . By its command that the provisions of the reclamation law should govern the construction, operation, and maintenance of the several construction projects, Congress directed the Secretary of the Interior to proceed in conformity with state laws, giving full recognition to every right vested under those laws . . .

" . . . Similarly, we need not ponder whether, by virtue of a highly fictional navigation purpose, the Government could destroy the flow of a navigable stream and carry away its waters for sale to private interests without compensation to those deprived of them. We have never held that or anything like it, and we need not here pass on any question of constitutional power; for we do not find that Congress has attempted to take or authorized the taking, without compensation, of any rights valid under State law."

While the court in the *Gerlach* case was referring to riparian rights, we believe that the same considerations would apply to other rights such as the rights to real property. It follows, we believe, that the United States must pay compensation for any property destroyed (flooded or rendered unusable) as a result of seepage due to the artificially maintaining of the stream flow of rivers within the Central Valley Project. As to whether the seepage damage is due to such activities is, of course, a question of fact.

In this connection, it should be noted that the United States requires, with respect to flood control projects, that a local agency hold the United States harmless account of damage due to construction of the works. While this might transfer responsibility, it would not affect liability.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By GEORGE H. MURPHY, Deputy

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 29

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

### Request for Unanimous Consent

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, for consideration of committee amendments.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29

**Assembly Concurrent Resolution No. 29**—Relative to the proposed site of the Los Angeles State College of Applied Arts and Sciences.

Resolution read.

### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

#### Amendment No. 1

Strike out page 2 of the printed measure, and on page 3, strike out lines 1 to 6, and insert

"WHEREAS, On November 26, 1952, the Public Works Board gave approval to the Baldwin Hills site; and

WHEREAS, Legislative investigation of the site since the action taken by the board indicates that the site selected may not be the best site for a state college; now, therefore, be it"

Amendment read, and adopted.

### Request for Unanimous Consent

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, as amended, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29, AS AMENDED

**Assembly Concurrent Resolution No. 29**—Relative to the proposed site of the Los Angeles State College of Applied Arts and Sciences.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold

T. Johnson, Kraft, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Ward, Way, Weybret, and Williams. 28.

Nays—None.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 25

Senate Resolution No. 32

Senate Resolution No. 26

Senate Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported bill ordered to third reading.

### Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Resolution No. 25, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 25

### Senate Resolution No. 25

Relative to a survey by the Department of Public Works for a highway connecting Palo Verde Valley and Imperial Valley by the most direct feasible route

WHEREAS, Palo Verde Valley in Riverside County and Imperial Valley in Imperial County constitute two of the State's most productive farming areas, with many common interests and needs requiring direct and economical highway connections between them; and

WHEREAS, Such highway connections were available until recently by way of Brawley, Niland, Hopkins Well and Blythe over a route consisting of 86 miles, 44 of which are paved, but are no longer available because of the establishment of the Chocolate Mountain Gunnery Range by the United States Navy resulting in the closure of this route at the request of high military authorities; and

WHEREAS, The route presently available consists of 152 miles by way of Brawley, Niland, Mecca, State Route 64, U. S. 60-70, and Blythe, a route including that portion of State Route 64 known as the Box Canyon Road which has proved over a period of years to be the most expensive portion of the State Highway System to maintain in that area; and

WHEREAS, Some exploratory work has been done by the United States Navy and the United States Department of Commerce, in conjunction with local authorities, looking toward the establishment of a satisfactory alternate route from Palo Verde Valley to Imperial Valley to take the place of that closed by reason of military necessity; now, therefore, be it

*Resolved by the Senate of the State of California,* That the California Highway Commission and the Department of Public Works are hereby requested to make a survey in accordance with Section 75 of the Streets and Highways Code of a highway connecting the valleys referred to above by any direct, feasible route such as the one by way of Brawley, Glamis, Palo Verde and Blythe; and that in meeting the needs heretofore described the commission and the department are requested to ascertain the most economical route from the long-range viewpoint, particularly in consideration of the possibility of abandoning the expensive Box Canyon portion of State Route 64 if such alternate route were constructed; and be it further

*Resolved,* That the commission and the department are requested to complete this survey within 90 days from the date of adoption of this resolution and to report their findings to the Senate; and be it further

*Resolved,* That the Secretary of the Senate be directed to transmit copies of this resolution to the California Highway Commission, the Director of Public Works and the State Highway Engineer.

Resolution read, and on a motion of Senator Hulse, adopted



**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Senate Resolution No. 26, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 26****Senate Resolution No. 26**

Relative to the continuance of the Senate Committee on Interstate Cooperation  
*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on Interstate Cooperation created by Senate Resolution 169 of the 1951 Regular Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of any funds heretofore made available to the committee together with the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

**Resolution read.**

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Way, Weybret, and Williams—26.

**NOES**—None.

**Senator Hatfield Presiding**

At 11.30 a.m., Senator George H. Hatfield, Vice Chairman of the Committee on Rules, presiding.

**Request for Unanimous Consent**

Senator Collier asked for, and was granted, unanimous consent to take up Senate Resolution No. 32, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 32****Senate Resolution No. 32**

Relative to the creation of the Senate Interim Committee  
on Highways, Streets, and Bridges

**WHEREAS**, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

**WHEREAS**, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of \$200,000,000 annually; and

**WHEREAS**, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

**WHEREAS**, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures

do not directly affect the General Fund of the State or the tax rates of local governments; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of three billion dollars, but only \$1.4 billion will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights-of-way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature has considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but further study is necessary and should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, during the course of its inquiries, found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it therefore appears that the Legislature should have additional information on this subject in view of the fact that almost \$50,000,000 is apportioned annually by the State to counties for road purposes; and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway-users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Highways, Streets, and Bridges is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights of way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order (1) to provide a continuous check on expenditures of state collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the overall development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.

4. The committee shall consist of seven Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

5. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1955 Regular Session, with authority to file its final report not later than the fifteenth day after the end of the constitutional recess. The time for filing the final report shall not be extended.

6. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

7. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To employ an executive secretary, engineers, auditors, and other personnel, as it deems necessary to carry out the purposes for which it is created.

(c) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(d) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpoenas, orders, and other process issued by the committee.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.



8. The committee and its employees may meet and act any place within the State or within the United States.

9. The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Way, Weybret, Williams—31.

NOES—None.

#### Request for Unanimous Consent

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Resolution No. 35, at this time, for consideration.

### CONSIDERATION OF SENATE RESOLUTION NO. 35

#### Senate Resolution No. 35

Relative to the continuance of the Senate Interim Committee on 24-hour Schools

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on 24-hour Schools created by Senate Resolution No. 212 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charge, expense, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—31.

NOES—None.

### RESOLUTIONS

The following resolution was offered:

By Senator Coombs:

#### Senate Resolution No. 40

Relative to honoring the memory of Dr. George Henry Hecke

WHEREAS, In the death of Dr. George Henry Hecke near Woodland on January 13, 1953, California lost a revered citizen, scholar, and well-known horticulturist, and the people of Woodland mourn a beloved friend and neighbor; and

WHEREAS, George H. Hecke was a native of Hamburg, Germany, attending horticultural colleges in Germany, then residing in France where he gained valuable experience in the propagation of wine grapes; and



WHEREAS, He later traveled to London where he became gardener for the Royal Kew Gardens and was commissioned to landscape the grounds surrounding the Queen Victoria Statue; and

WHEREAS, In 1891 George H. Hecke came to California as a horticulturist for the Kern County Land Company, and settling in Woodland the following year he became foreman on the Byron Jackson Ranch, and he later purchased the Yolanda Ranch where he built his country estate home, in which place he came to final rest; and

WHEREAS, He served as the State Director of Agriculture from 1916 to 1932, he directed the fight against the dreaded hoof and mouth disease epidemic of 1924 and played a leading part in the establishment of the experimental farm at the College of Agriculture, Davis; and

WHEREAS, Dr. Hecke served for several years as Yolo County farm advisor, helped to lay the foundation of the present state agricultural system, aided in the establishment of quarantine laws throughout the West, was a member of the National Association of Agricultural Directors, and was awarded an honorary doctor of laws degree in 1936 by the University of California; now, therefore, be it

*Resolved by the Senate of the State of California*, That the members express deep regret at the closing of a life and the passing of a spirit which has so richly served his community and our beloved State; and be it further

*Resolved*, That the Secretary of the Senate is directed to prepare and send suitable copies of this resolution to Mrs. Leila Hardy, and to Miss Martha Hecke, daughters; and be it further

*Resolved*, That when the Senate adjourns this day it shall do so in honor of Dr. George Henry Hecke.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

#### **Request for Unanimous Consent**

Senator Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 26, at this time, for consideration.

#### **CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26**

**Assembly Concurrent Resolution No. 26**—Relative to the death of William Green.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—38.

Resolution ordered transmitted to the Assembly.

#### **REPORTS OF STANDING COMMITTEES**

##### **Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, JANUARY 16, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 231 .

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

##### **Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 231, at this time, for consideration of committee amendments.

**CONSIDERATION OF ASSEMBLY BILL NO. 231**

**Assembly Bill No. 231**—An act to add Section 7.5 to Chapter 1420 of the Statutes of 1951, relating to the compensation of attaches of superseded courts in Los Angeles County, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "1951," insert "to add Section 2 to Chapter 1736 of the Statutes of 1951, and to add Section 2 to Chapter 1735 of the Statutes of 1951,".

**Amendment No. 2**

In line 3 of the title of said bill, after "County", insert "and Orange County".

**Amendment No. 3**

On page 1 of said bill, between lines 11 and 12, insert

"Sec. 2. Section 2 is added to Chapter 1736 of the Statutes of 1951 to read:

Sec. 2. Notwithstanding any other provision of law, any marshal, constable, deputy, or attache of a court superseded on January 1, 1953, by a municipal court in Orange County, and who succeeds to a similar position in the office of the marshal of any municipal court in Orange County, shall receive the same salary in the marshal's office as he last received as an attache of the superseded court, until the ninety-first day after adjournment of the 1953 Regular Session of the Legislature.

Sec. 3. Section 2 is added to Chapter 1737 of the Statutes of 1951 to read:

Sec. 2. Notwithstanding any other provision of law, any marshal, constable, deputy, or attache of a court superseded on January 1, 1953, by a municipal court in Orange County, and who succeeds to a similar position in the office of the marshal of any municipal court in Orange County, shall receive the same salary in the marshal's office as he last received as an attache of the superseded court, until the ninety-first day after adjournment of the 1953 Regular Session of the Legislature."

**Amendment No. 4**

On page 1, line 12, of said bill, strike out "Sec. 2," and insert "Sec. 4."

**Amendment No. 5**

On page 1, line 21, of said bill, after "County", insert "and Orange County".

**Amendment No. 6**

On page 2, line 4, of said bill, after "County", insert "or in the office of marshal of any municipal court in Orange County".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**RESOLUTIONS**

The following resolution was offered:

By Senator Gibson:

**Senate Resolution No. 41**

Relative to augmenting the funds of the Senate Interim Committee on Traffic and Motor Vehicle Violations

*Resolved by the Senate of the State of California.* That in addition to any money heretofore made available to it, the sum of seven hundred dollars (\$700) is hereby made available to the Senate Interim Committee on Traffic and Motor Vehicle Violations created by Senate Resolution No. 156 of the 1951 General Session, from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1406

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bill was read the first time:

**Assembly Bill No. 1406**—An act making an appropriation for the repair and restoration of property damaged by storms, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**RECESS**

At 11.50 a.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

**REASSEMBLED**

At 3 p.m., the Senate reconvened.

Hon. Senator George J. Hatfield, Vice Chairman, the Committee on Rules of the Senate, presiding.

Secretary J. A. Beek at the desk.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 56

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered enrolled.

**REPORTS OF STANDING COMMITTEES****Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Assembly Bill No. 1124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

**Request for Unanimous Consent**

Senator Williams asked for, and was granted, unanimous consent to take up Assembly Bill No. 1124, at this time, for consideration of Assembly amendments.

**CONSIDERATION OF ASSEMBLY BILL NO. 1124**

**Assembly Bill No. 1124**—An act to add Section 35855 to the Water Code and to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "and to amend Section 35951 of the Water Code".

**Amendment No. 2**

On page 1 of said bill, strike out lines 11 to 21, inclusive.

**Amendment No. 3**

On page 1, line 22, of said bill, strike out "Sec. 3", and insert "Sec. 2".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**REPORTS OF STANDING COMMITTEES****Committee on Finance**

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 1406

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bill ordered to second reading.

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5**

**Assembly Joint Resolution No. 5**—Relative to the use of the word "California" on labels of garments manufactured by out-of-state garment manufacturers.

Resolution read, and presented by Senator O'Gara.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Request for Unanimous Consent**

Senator Hulse asked for, and was granted, unanimous consent to take up Senate Bill No. 944, at this time, for final passage.

**CONSIDERATION OF SENATE BILL NO. 944**

**Senate Bill No. 944**—An act making an appropriation in connection with litigation concerning the Colorado River, to take effect immediately.

Bill read third time.



**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 944:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 15, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Senate Bill No. 944, "An act making an appropriation in connection with litigation concerning the Colorado River, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill appropriates \$100,000 for use in connection with litigation concerning the rights of California agencies and water users to waters of the Colorado River.

I therefore recommend consideration of Senate Bill No. 944 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Ehart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Sutton, Tenney, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**MOTION TO PRINT REPORT**

Senator Collier moved that the following report entitled "The California County Road System—Inventory of Critical Deficiencies of County Highways, Roads and Bridges as of July 1952" be printed in the Journal.

Motion carried.

# **THE CALIFORNIA COUNTY ROAD SYSTEM—INVENTORY OF CRITICAL DEFICIENCIES ON COUNTY HIGHWAYS, ROADS AND BRIDGES, AS OF JULY, 1952**

**Introduction**

At a meeting held in Sacramento on June 6, 1952, the Highway Committee of the County Supervisors Association of California, Chairman Frank H. Mogle, and the Advisory Committee of County Road Commissioners, Chairman Wallace Boggs, recommended to the Board of Directors of the association that a study of the most urgent deficiencies on the county road system in California be undertaken immediately. This recommendation was adopted by the Board of Directors, and the staff of the association was ordered to proceed with the study.

Accordingly, on June 24, 1952, a set of instructions was issued to all county road commissioners in which the counties were requested to list only the county road deficiencies existing as of July 1952, and that it was not the purpose of the study to develop needs five or ten years into the future, but merely to list the "deficient now" county highways, roads and bridges.

In drafting the forms for the study we have drawn liberally upon the counsel and advice of road commissioners and engineers throughout California. Wallace B. Boggs, chairman of the association's Advisory Committee of Road Commissioners, and Earle A. Burt, president of the County Engineers Association of California, were both most helpful. We wish also to acknowledge help received from state highway officials. We reviewed the Ohio study report entitled "Engineering Procedure and Instructions in Determining County and Township Road Needs".

All county road commissioners were requested to classify their entire county road mileage as to types of surfaces and also into the primary and the secondary road system. They were further requested to develop an inventory of critical deficiencies on the primary road system and on the secondary road system, and we have on file in our

office reports from each of the counties in which the inventory of critical deficiencies are listed as follows:

- A. County road identification number
- B. Mileage of deficient roads
- C. Traffic counts—24 hour average and peak hour
- D. The existing travel-way surface—described as to type and width
- E. "Why Deficient" code number or numbers were used to define the types of deficiencies:
  - 1. Present surface inadequate
    - 1a—too narrow
    - 1b—new type needed
    - 1c—reconstruct present type
    - 1d—poor base or subgrade
    - 1e—poor drainage
  - 2. Poor alignment
  - 3. Sight distance limited due to curves
  - 4. Sight distance limited due to rolling hills
  - 5. Safety features
    - 5a—frequent accidents
    - 5b—dangerous intersection
    - 5c—grade crossing
    - 5d—safety lighting or signals needed
    - 5e—bottleneck at peak hour of traffic
  - 6. Maintenance costs exceed county average for type of surface
  - 7. Other (describe)
- F. Description of proposed improvement
- G. Estimated cost of rights-of-way
- H. Estimated rights-of-way and construction costs

Counties were asked also to submit similar information on the primary and secondary bridge systems in which the following information was supplied:

- A. County road identification number
- B. Number of bridges deficient
- C. Traffic counts—24 hour average and peak hour
- D. Travel-way surface—type and width
- E. "Why Deficient" as follows:
  - 1. Obsolete due to age
  - 2. Sub-structure failing
  - 3. Super-structure failing
  - 4. Floor condition poor
  - 5. Travel-way too narrow
  - 6. Sight distance impaired on approaches
  - 7. Bridge posted
  - 8. Frequent accidents
  - 9. Vertical clearance limited
  - 10. Other (describe)
- F. Description of proposed improvement
- G. Estimated rights-of-way costs
- H. Estimated construction costs

Each county also submitted a map in which the state highway system, the county primary road system and the county secondary system were all set forth designating the different systems by color.

Counties were warned that "A grave responsibility is assumed by our Association to submit only carefully documented data that will stand the close scrutiny to which it will be subjected." County road commissioners were advised that this study presented their first real opportunity to prove that a program of deficiency needs on county roads and highways could be prepared, reviewed and printed without significant changes being made after an unbiased engineering review and study by the members of the California Legislature.

Our Association will soon request the California Senate Interim Committee on Highways, Streets and Bridges to cause to be made an impartial review of the study and a certification as to its correctness. Moreover, we are requesting that the Senate Highway Committee make its findings available in printed form to members of the Legislature and to other persons and organizations interested in the urgent deficiencies on the California county road system.

#### **Total Maintained Mileage—California County Road System**

From the material submitted, our Association has compiled three tables in which the findings are presented in tabular form:

Table I—Primary County Road System, Total Maintained Mileage of Travel-Way Surface by Types

Table II—Secondary County Road System, Total Maintained Mileage of Travel-Way Surfaces by Types

Table III—Inventory of Critical Deficiencies on County Highways, Roads and Bridges as of July 1952

Table I, as compiled from the reports submitted by the county road commissioners, lists a total maintained primary county road system consisting of 18,743 miles. Table II lists 47,313 maintained secondary road mileage. The tabulation follows:

	Primary mileage Table I	Secondary mileage Table II	Combined Total
Earth -----	1,540	12,789	14,329
Gravel -----	1,517	6,694	8,211
Oil treated earth -----	3,301	10,451	13,752
Oil treated gravel -----	5,427	10,248	15,675
Armor top -----	2,589	4,486	7,075
Plant mix -----	3,226	2,117	5,343
Asphaltic concrete -----	620	264	884
Portland cement concrete -----	523	264	787
Totals -----	18,743	47,313	66,056

From these two tables it is quite evident that there is still a good deal of work to be accomplished before the present county road system will even be "out of the mud." It is interesting to note that out of the 66,000 miles of roads in California being maintained by the counties, that over 14,000 miles are earth surfaced.

#### Inventory of Critical Deficiencies on the California County Highways, Roads and Bridges as of July, 1952

Table III shows that the present deficiencies on the county road system totals \$549 million, and that deficiencies exist on 11,372 miles of the county primary road system of 18,743 miles totaling \$281 million. The county reports list 964 bridges in the primary road system that either need reconstruction or replacement at an estimated cost in excess of \$55 million. Of the 47,313 miles in the secondary system, 18,239 miles of roads are deficient for a total of \$187 million. There are 1,530 bridges in the secondary road system that either need reconstruction or replacement at an estimated cost of in excess of \$26 million.

#### Financing

Counties receive from the highway users taxes allocations from registration and weight fees the net proceeds of 1½¢ per gallon of the gasoline tax which brought in \$53.5 million during 1951-52. In addition, counties receive from local sources such as property taxes and fines and forfeitures some \$14 million in 1951-52, and counties received from all other sources, including the federal aid road allocation, \$9 million during 1951-52, making total receipts of about \$76.5 million. Of this amount, slightly in excess of \$30 million was expended for construction and reconstruction of roads and bridges, approximately \$27 million was expended for maintenance, \$4 million for engineering and administration, \$2 million for acquisition of property, \$4 million for equipment, \$5 million for contributions, primarily to cities, and the balance represents miscellaneous expenditures for funds carried into the succeeding fiscal year.

#### Conclusions

From this study it becomes quite apparent that the present revenue structure, after deductions for administration, maintenance, acquisitions of property, equipment, contributions to cities, etc., leaves only about \$32 million per year to go into the vitally important rights-of-way and construction program. This means that even if we maintain the "status quo" in California without taking into consideration our population which is increasing at the rate of 30,000 persons per month with a corresponding increases in motor vehicles registration, it would still take the counties approximately 20 years to correct the deficiencies existing as of 1952.

#### Need for Legislative Action

County supervisors and road commissioners throughout California fervently hope that the California Legislature will review the unmet construction needs on the county road system along with the existing deficiencies on the California State Highway System.

Prepared by: Vincent T. Cooper, Assistant Manager  
County Supervisors Association of California  
400 Forum Building, Sacramento, California

January 12, 1953

**TABLE I**  
**California Counties**  
**Primary County Road System**  
**Total Maintained Mileage of Travel-way Surface by Types**

Counties	Total mileage	Earth	Gravel	Oil treated earth	Oil treated gravel	Armor top	Plant mix	Asphaltic concrete	Portland cement concrete
Alameda	273.42		35.12		.57	169.70	57.40	6.22	4.41
Alpine	47.70	10.70	28.00		9.00				
Amador	147.50	1.00		28.40	114.90	3.20			
Butte	318.92	.75	19.56	32.76	171.96	28.09	54.25	10.88	.72
Calaveras	215.30	20.00	.20		193.00		2.10		
Colusa	252.56	11.20	62.99	19.20	151.09		8.00		
Contra Costa	244.54					195.00	32.59		16.07
Del Norte	68.43		19.60		48.83				
El Dorado	328.00	124.00	12.00	115.00	76.00	1.00			
Fresno	982.25	3.00	14.95	391.27	391.27		181.76		
Glenn	161.50		15.00		100.00	23.00	23.50		
Humboldt	381.75	20.93	191.23		109.76		61.84	1.00	
Imperial	284.00	63.00	70.00		151.00				
Inyo	269.80		83.10		186.70				
Kern	1,058.36	86.05		835.70	15.56		89.50	4.26	27.29
Kings	336.50			253.50	39.00		44.00		
Lake	99.91		13.61	14.75	71.55				
Lassen	184.00	19.40	119.30		21.00		24.30		
Los Angeles	1,600.00	56.00	8.00	30.00	50.00	316.00	887.00	66.00	167.00
Madera	284.50			266.00	10.00		8.50		
Marin	146.57		3.57			118.42		5.86	18.72
Mariposa	146.20	1.00		28.32	113.69	3.19			
Mendocino	309.30	40.00	114.30		133.00				
Merced	272.41	3.68	4.14	20.17	125.80		118.62		
Modoc	202.48	58.45	101.00		43.03				
Mono	57.70	30.90			26.80				
Monterey	311.21	10.50	3.00	51.00	87.31	93.25	9.65	46.60	9.90
Napa	151.60		31.60		4.50	63.50	43.50	1.80	6.70
Nevada	No report								
Orange	331.35	.52		74.12	41.10	13.31	134.17	35.58	32.55
Placer	253.13	49.65	1.95	4.25	64.05		119.31	13.32	
Plumas	138.60	30.40	20.00		64.60		17.40		.20
Riverside	576.57	52.29	12.50	102.36	102.36	102.36	102.35	102.35	
Sacramento	701.08	50.92	14.82	19.40	42.83	368.86	187.67	4.88	11.70
San Benito	159.00	6.40	19.00	14.10	98.20	16.40	2.90		3.00
S. Bernardino	769.94	90.81		1.75	182.16	7.45	157.60	19.10	11.06
San Diego	481.32	63.82			307.62	40.03	1.69	31.80	34.36
San Francisco *									
San Joaquin	613.43			25.85	326.05	148.63	52.24	58.60	2.06
S. Luis Obispo	436.20	46.07	35.87	185.09	154.10		4.33		10.74
San Mateo	126.27					111.06	7.86	5.74	1.61
Santa Barbara	199.72	4.21	.50	41.48	18.49	83.87	29.39	17.32	4.46
Santa Clara	393.11	5.43	11.88			235.42	28.14	96.79	15.45
Santa Cruz	179.00				12.00		151.00		16.00
Shasta	372.40	41.50	94.00		179.60		57.30		
Sierra	91.42	50.62	11.59	29.21					
Siskiyou	656.45	263.25	177.30	68.60	142.70		3.00	.60	1.00
Solano	259.30		16.75		168.35		58.40		15.30
Sonoma	273.00		7.00			221.55		9.60	34.65
Stanislaus	443.25	32.50	14.12	46.26	99.28	1.01	210.90		39.18
Sutter	358.19	5.50	22.80	30.60	203.59	81.30		13.40	1.00
Tehama	149.50		6.60		15.16	118.74			
Trinity	179.90	145.45	28.00		.25	6.20			
Tulare	581.94	23.75		505.64	15.75		20.50	10.88	5.42
Tuolumne	123.40	4.50	4.50	39.00	66.00			9.40	
Ventura	263.97	.34		4.75	87.42	13.79	117.60	28.32	11.75
Yolo	268.65	3.75	19.45		214.05	4.00	19.80		7.60
Yuba	232.23		48.61		75.79		95.32		12.51
<b>TOTALS</b>	<b>18,742.73</b>	<b>1,540.23</b>	<b>1,516.51</b>	<b>3,300.53</b>	<b>5,427.42</b>	<b>2,589.22</b>	<b>3,225.46</b>	<b>620.25</b>	<b>523.11</b>

\* In addition, the City and County of San Francisco has a total mileage of 182.28.  
 Prepared by: Vincent T. Cooper, Assistant Manager, County Supervisors Association  
 January 12, 1953



**TABLE II**  
**California Counties**  
**Secondary County Road System**  
**Total Maintained Mileage of Travel-way Surface by Types**

Counties	Total mileage	Earth	Gravel	Oil treated earth	Oil treated gravel	Armor top	Plant mix	Asphaltic concrete	Portland cement concrete
Alameda	369.32	2.00	69.99		7.29	216.03	70.65	1.69	1.67
Alpine	71.01	61.04	10.00						
Amador	210.90	71.95	15.50	41.50	81.95				
Butte	1,051.65	263.91	296.30	80.07	376.68	4.13	36.36	.08	.12
Calaveras	383.30	127.70	114.90		140.70				
Colusa	448.89	92.80	164.37		191.72				
Contra Costa	677.21	27.79	26.24		46.14	531.93	40.23		4.88
Del Norte	111.55	54.70	54.15		22.70				
El Dorado	351.00	271.00	5.00	58.00	15.00				2.00
Fresno	2,836.20	137.79	30.69	1,328.94	1,928.94			9.84	
Glenn	689.98	254.73			419.25	16.00			
Humboldt	687.27	116.80	383.38	7.88	156.80		16.99		5.42
Imperial	1,894.00	900.00	956.00		38.00				
Inyo	703.00		611.30	91.70					
Kern	1,951.46	302.67	.32	1,572.11	41.78		28.73	.39	5.46
Kings	740.80	30.00		710.80					
Lake	416.38		287.10	53.81	75.47				
Lassen	936.80	682.90	222.90		17.40		13.60		
Los Angeles	2,957.00	670.00	50.00	160.00	200.00	632.00	1,172.00	31.00	42.00
Madera	964.10	329.00		635.10					
Marin	240.78		47.96			109.57			3.25
Mariposa	353.10	120.44	25.95	69.50	137.21				
Mendocino	688.23	288.25	236.12	47.63	116.23				
Merced	1,603.99	383.55	197.61	259.12	648.19		115.52		
Modoc	582.39	318.15	269.24		5.00				
Mono	545.51	505.05	8.60	8.00	23.86				
Monterey	1,091.46	340.29	14.10	363.55	270.68	98.29	4.55		
Napa	338.60	39.50	76.50		16.80	185.20	13.70	.40	4.50
Nevada	No report								
Orange	692.93	31.01	1.77	374.43	104.52	3.30	139.03	26.59	17.38
Placer	508.53	106.70	33.25	310.23	41.95	.90	8.75	2.40	4.35
Plumas	429.22	320.42	40.00	13.80	54.60		.30		.10
Riverside	2,037.44	1,000.64	208.54		828.26				
Sacramento	862.59	179.57	15.03	81.69	56.11	484.53	29.64	13.19	2.84
San Benito	251.70	37.00	66.70	4.00	127.50	10.30	1.80		4.40
S. Bernardino	2,602.00	1,193.74	32.23	237.83	840.89	54.21	107.51	19.02	18.54
San Diego	1,671.29	638.77			209.05		1.01	68.49	53.97
San Francisco *									
San Joaquin	1,102.31	15.83		465.08	549.69	40.67	8.07	16.67	6.30
S. Luis Obispo	829.22	219.90	245.16	198.75	152.16		3.44	6.15	3.66
San Mateo	352.40	41.22	117.75	.53		180.85	4.44	2.96	4.65
Santa Barbara	474.52	121.32	23.66	148.22	42.91	86.84	40.07	7.93	3.57
Santa Clara	771.98	56.28	62.54	4.57	3.72	617.28	3.24	22.66	1.59
Santa Cruz	344.90		37.90		250.15		57.45		
Shasta	761.60	362.80	201.40	35.40	143.50	5.30	13.20		
Sierra	152.79	134.86	9.54	8.39					
Siskiyou	738.15	489.10	232.45	7.80	8.00				.50
Solano	487.10	66.65	183.07	3.64	190.83	21.70	13.40	4.00	3.70
Sonoma	1,155.73		230.23			900.88			15.60
Stanislaus	1,319.24	109.06	62.25	640.23	386.26	2.35	111.98	.37	6.74
Sutter	453.10	137.65	87.85	70.35	145.55	9.40			2.30
Tehama	794.32	87.60	335.75	10.24	296.73	122.50			1.50
Trinity	494.88	471.43	6.75		16.70				
Tulare	2,542.14	215.00		2,271.32		27.75		2.00	26.07
Tuolumne	346.90	175.00	20.00	60.00	88.00			2.40	1.50
Ventura	371.55	46.32	4.61	9.13	186.72	30.38	52.28	25.30	16.81
Yolo	591.65	88.80	196.19		300.17	4.50	1.99		
Yuba	273.28	67.05	75.53	7.71	110.30		11.97		.72
<b>TOTALS</b>	<b>47,312.68</b>	<b>12,789.03</b>	<b>6,693.79</b>	<b>10,451.35</b>	<b>10,248.06</b>	<b>4,485.82</b>	<b>2,116.95</b>	<b>263.55</b>	<b>264.14</b>

\* In addition, the City and County of San Francisco has a total mileage of 583.29

Prepared by: Vincent T. Cooper, Assistant Manager, County Supervisors Association of California  
 Prepared January 12, 1953

**TABLE III**  
**California Counties**  
**Inventory of Critical Deficiencies**  
**County Highways, Roads and Bridges, as of July, 1952**

	Deficient Primary	mileage Secondary	Combined Totals	Primary roads	Primary bridges	Secondary roads	Secondary bridges
Alameda	118.77	125.03	\$10,631,000	\$4,291,800	\$1,190,000	\$5,008,200	\$141,000
Alpine	28.70		502,000	490,000	12,000		
Amador	42.60	59.70	1,703,000	568,000	250,000	780,000	125,000
Butte	101.07	6.64	1,781,000	1,490,000	173,000	100,000	18,000
Calaveras	41.70	34.00	1,200,000	475,000	562,900	152,500	10,500
Colusa	165.72	37.80	2,758,500	1,404,000	525,000	324,500	505,000
Contra Costa	221.85	572.82	28,089,000	12,773,000	1,111,000	12,808,000	1,397,000
Del Norte	4.90		233,000	187,000	46,000		
El Dorado	325.20	146.55	2,945,450	1,965,600	318,000	630,850	31,000
Fresno	152.43	135.38	6,289,600	3,796,600	269,000	2,104,000	120,000
Glenn	10.00		345,000	70,000	275,000		
Humboldt	419.02	640.85	21,174,800	4,675,200	5,592,000	5,357,600	5,550,000
Imperial	197.09	221.22	4,227,872	2,093,583	75,051	1,067,944	991,294
Inyo	218.50	82.60	2,100,500	1,601,500	437,000	38,000	24,000
Kern	678.55	669.22	11,577,500	6,786,700	682,500	4,045,300	63,000
Kings	57.50	120.00	3,514,000	2,491,000	265,000	600,000	158,000
Lake			215,000		215,000		
Lassen	157.50	420.60	2,208,350	1,231,450	67,850	824,250	85,000
Los Angeles	501.27		84,157,835	71,053,035	13,104,800		
Madera	284.50	964.40	12,129,095	4,375,500	1,094,780	3,903,150	2,755,665
Marin	175.00	186.00	7,893,600	3,000,500		4,803,100	
Mariposa	137.50	355.00	3,017,350	1,746,000	175,000	846,350	250,000
Mendocino	304.30	265.96	4,874,300	3,695,000	153,000	732,300	234,000
Merced	263.00	1,537.10	7,727,118	650,273	124,730	6,326,220	625,895
Modoc	169.25	379.65	4,491,990	2,317,140	286,450	1,144,700	743,700
Mono	68.70	262.81	816,325	373,475		402,700	40,350
Monterey	134.60	34.80	5,301,890	4,798,023	16,000	301,367	186,500
Napa	77.70	80.70	5,021,000	2,112,000	968,000	1,809,000	132,000
Nevada				No Report			
Orange	243.82	290.25	11,831,633	6,194,911	1,437,100	4,034,967	164,655
Placer	173.06	65.60	8,536,920	6,545,920	268,000	1,708,500	14,500
Plumas	33.90	43.00	2,520,500	1,025,500	617,000	361,500	516,500
Riverside	240.44	623.29	6,212,210	1,564,190	256,520	3,857,400	534,100
Sacramento	202.25	340.40	14,581,375	6,305,250	3,464,500	4,573,625	238,000
San Benito	120.50	38.10	4,603,470	3,589,850	247,200	681,600	84,820
San Bernardino	325.79	192.60	9,389,000	4,919,500	1,999,500	1,864,400	605,600
San Diego	408.44	741.36	31,995,187	15,868,348	1,518,800	13,518,839	1,089,200
San Francisco *							
San Joaquin	613.43	1,102.31	48,749,120	17,622,910	5,333,000	23,416,210	2,377,000
San Luis Obispo	436.20	830.22	14,901,325	6,881,850	967,400	6,921,000	731,075
San Mateo	51.42	312.61	6,944,500	4,555,000	795,000	1,164,500	430,000
Santa Barbara	57.70	135.22	3,325,700	1,022,650	387,500	1,280,550	635,000
Santa Clara	62.65	58.47	2,422,950	1,590,700	390,000	373,250	69,000
Santa Cruz	29.30	16.10	2,776,000	1,776,000	224,000	596,000	180,000
Shasta	280.70	141.90	10,330,960	6,972,060	1,132,200	2,004,700	222,000
Sierra	84.74	82.07	969,025	330,750	76,000	261,775	250,500
Siskiyou	482.10	43.10	2,346,650	1,829,700	335,000	122,000	59,950
Solano	251.75	498.75	21,658,350	9,605,500	48,000	11,592,850	502,000
Sonoma	251.15	45.50	4,423,067	3,585,100	289,260	339,000	209,707
Stanislaus	443.25	1,320.67	54,178,625	17,172,550	5,379,960	29,806,915	1,819,200
Sutter	113.40	132.30	1,365,600	746,500	84,000	519,600	15,500
Tehama	32.60	45.22	187,350	30,500	26,000	45,850	85,000
Trinity	179.60	494.88	3,278,150	751,750	20,000	2,474,400	32,000
Tulare	581.94	2,543.14	31,568,640	14,534,040	802,000	19,335,100	872,500
Tuolumne	46.72	25.40	730,500	569,500	77,000	76,000	8,000
Ventura	263.97	371.56	1,963,115	1,140,510	506,800	298,805	17,000
Yolo	132.30	80.80	3,432,950	1,831,250	834,600	561,500	205,600
Yuba	174.14	85.09	2,573,960	1,850,190	364,900	328,750	30,120
Totals	11,371.48	18,238.74	\$348,719,007	\$280,973,858	\$55,270,101	\$186,289,617	\$26,185,431

\* The County and City of San Francisco's street program, 1952-1970, will cost an estimated \$90,293,000.  
 Prepared by: Vincent T. Cooper, Assistant Manager, County Supervisors Association of California  
 January 12, 1953.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
JOINT RESOLUTION NO. 11**

Senator Desmond moved that Senate Joint Resolution No. 11 be withdrawn from Committee on Revenue and Taxation for purpose of amendment and be re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Joint Resolution No. 11**—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment :

**Amendment No. 1**

On page 1 of the printed resolution, strike out lines 2 to 28, and on page 2, strike out lines 1 to 18, and insert "forthia jointly. That the State Legislature does hereby make application to the Congress of the United States to call a convention for the purpose of amending the 16th Article of the amendments to the Constitution and substituting therefor an amendment limiting the powers of the Congress to tax incomes, inheritance and gifts, and providing a maximum rate which may be levied upon incomes, inheritance and gifts; and be it further

*Resolved*, That said limitation shall not apply during hostilities while the United States is in a state of war declared by Congress and shall be subject to the further qualification that in event of a grave national emergency requiring such action to avoid national disaster, the Congress by a vote of three fourths of each house may for a period not exceeding one year increase beyond the limits so prescribed the maximum rate of any such tax upon income subsequently accruing or received or with respect to subsequent devolutions or transfers of property, with like power to repeat such action as often as such emergency may require; and be it further"

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 17

Assembly Concurrent Resolution No. 23

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 3

Assembly Joint Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was offered:

**Assembly Concurrent Resolution No. 17**—Relative to the Western States Conference on Training to be held in San Diego in 1953.

**Request for Unanimous Consent**

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 17, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17**

**Assembly Concurrent Resolution No. 17**—Relative to the Western States Conference on Training to be held in San Diego in 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—33.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 23**—Approving an amendment to the charter of the City of Pomona, County of Los Angeles, State of California, by adding to Article VII thereof a new section, numbered 52a, voted for and ratified by the electors of said city at a special municipal election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23 at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23**

**Assembly Concurrent Resolution No. 23**—Approving an amendment to the charter of the City of Pomona, County of Los Angeles, State of California, adding to Article VII thereof a new section, numbered 52a, voted for and ratified by the electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield Hoffman, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were read:

**Assembly Joint Resolution No. 2**—Relative to closing the United States-Mexico border to unescorted minors.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 3**—Relative to using money collected by federal gasoline, diesel fuel, and lubricating oil taxes upon federal-aid primary highway systems.

Referred to Committee on Rules.



**Assembly Joint Resolution No. 6**—Relative to the production of narcotics within the United States of Mexico and the transportation and flow thereof into the United States.

Referred to Committee on Rules.

Chief Assistant Secretary Cleve V. Taylor at the Desk

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

**Senate Concurrent Resolution No. 29:** By Senator Dilworth—Relative to the case of the United States v. Fallbrook Public Utility District, et al.

Referred to Committee on Water Resources.

**Senate Concurrent Resolution No. 30:** By Senator Miller—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

#### Request for Unanimous Consent

Senator Miller asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 30, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 30

**Senate Concurrent Resolution No. 30**—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 41

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

#### Request for Unanimous Consent

Senator Gibson asked for, and was granted, unanimous consent to take up Senate Resolution No. 41, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 41

## Senate Resolution No. 41

Relative to augmenting the funds of the Senate Interim Committee on Traffic and Motor Vehicle Violations

*Resolved by the Senate of the State of California.* That in addition to any money heretofore made available to it, the sum of seven hundred dollars (\$700) is hereby made available to the Senate Interim Committee on Traffic and Motor Vehicle Violations created by Senate Resolution No. 156 of the 1951 General Session, from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, and Way—25.

NOES—None.

## RESOLUTIONS

The following resolution was offered:

By Senator Breed:

## Senate Resolution No. 42

Relative to continuance of the Senate Interim Committee on Tidelands

WHEREAS, The title to, the ownership, and the operation of tide and submerged lands lying within the borders of this State are vital to the interests of the people of the State of California; and

WHEREAS, The title to, the ownership, and the operation of the tide and submerged lands lying within the borders of this State are threatened by the claims of the Federal Government; and

WHEREAS, The whole issue of the title to, the ownership, and the operation of such tide and submerged lands is of great importance to the natural resources of this State; and

WHEREAS, Various bills affecting the title to, the ownership, and the operation of tide and submerged lands lying within the borders of this State have been or will be placed before the 83d Congress in its 1st Session; and

WHEREAS, There is an urgent need for the Legislature to be fully advised of all facts relating thereto in order that it may promptly and judiciously take whatever action appears to be necessary; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Tidelands created by Senate Resolution 116 of the 1951 Regular Session is hereby continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is further authorized to employ such staff as is necessary to the performance of the committee duties and further, the committee and its staff are authorized to do such traveling outside the State as is necessary to performance of its duties.

3. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

4. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

5. The sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 42

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

## Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Resolution No. 42, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 42

## Senate Resolution No. 42

Relative to continuance of the Senate Interim Committee on Tidelands

WHEREAS, The title to, the ownership, and the operation of tide and submerged lands lying within the borders of this State are vital to the interest of the people of the State of California; and

WHEREAS, The title to, the ownership, and the operation of the tide and submerged lands lying within the borders of this State are threatened by the claims of the Federal Government; and

WHEREAS, The whole issue of the title to, the ownership, and the operation of such tide and submerged lands is of great importance to the natural resources of this State; and

WHEREAS, Various bills affecting the title to, the ownership, and the operation of tide and submerged lands lying within the borders of this State have been or will be passed by the Eighty-third Congress in its First Session; and

WHEREAS, There is an urgent need for the Legislature to be fully advised of all facts relating thereto in order that it may promptly and judiciously take whatever action appears to be necessary; now, therefore, be it

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Tidelands created by Senate Resolution 116 of the 1951 Regular Session is hereby continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is further authorized to employ such staff as is necessary to the performance of the committee duties and further, the committee and its staff are authorized to do such traveling outside the State as is necessary to performance of its duties.

3. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

4. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

5. The sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Cunningham, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hatfield, Ed. C. Johnson, McCarthy, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Way, and Williams—21.

NOES—None.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 1123:** By Senators Sutton, Erhart, Miller, Montgomery, Dorsey, Hoffman, Thompson, McCarthy, Coombs, Byrne, Mayo, Berry, Williams, Desmond, Harold T. Johnson, Abshire, Ed. C. Johnson, Donnelly, Powers, Cunningham, Brown, Way, Regan, Gibson, and Murdy—An act to add Section 4462 to the Health and Safety Code, relating to fishing in water supplies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1124:** By Senator Coombs—An act to add Section 207.2 to the Unemployment Insurance Act, relating to disability insurance benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 1125:** By Senator Coombs—An act to amend Section 1829 of the Elections Code, relating to the posting of the results of school district elections.

Referred to Committee on Elections.

**Senate Bill No. 1126:** By Senator Mayo—An act to amend Section 61.2 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), relating to the sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1127:** By Senator Weybret—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care, and home-finding agencies.

Referred to Committee on Social Welfare.

**Senate Bill No. 1128:** By Senator Weybret—An act to amend Section 1629 of the Welfare and Institutions Code, relating to institutions for child care, and home-finding agencies.

Referred to Committee on Social Welfare.

**Senate Bill No. 1129:** By Senator Weybret—An act to amend Section 224 of the Civil Code, relating to the placing of children for adoption.

Referred to Committee on Judiciary.

**Senate Bill No. 1130:** By Senator Weybret—An act to add Section 787 to the Welfare and Institutions Code, relating to adoption of children.

Referred to Committee on Judiciary.

**Senate Bill No. 1131:** By Senator Desmond—An act to amend Sections 14453, 14455, 14455.1, and 14455.2 of the Health and Safety Code, relating to the election of commissioners of county fire protection districts.

Referred to Committee on Local Government.

**Senate Bill No. 1132:** By Senator Desmond—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the exemption of food products from sales and use taxation.

Referred to Committee on Revenue and Taxation.



**Senate Bill No. 1133:** By Senators Desmond and Burns—An act to add Section 3309.1 to the Health and Safety Code, relating to the payment of the reasonable cost of hospitalization.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1134:** By Senator Desmond—An act to add Section 884.5 to the Welfare and Institutions Code, relating to medical, surgical, and dental care of wards of the juvenile court.

Referred to Committee on Social Welfare.

**Senate Bill No. 1135:** By Senator Desmond—An act to amend Section 14455.1 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1136:** By Senator Montgomery—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempt from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1137:** By Senator Thompson—An act to add Sections 11655 and 11656 to the Elections Code, relating to the abuse of the initiative, referendum, and recall.

Referred to Committee on Elections.

**Senate Bill No. 1138:** By Senator Thompson—An act to add Article 5.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to revenue bonds of county sanitation districts.

Referred to Committee on Local Government.

**Senate Bill No. 1139:** By Senator Thompson—An act making an appropriation to pay the claim of Fisher Motors against the State of California.

Referred to Committee on Finance.

**Senate Bill No. 1140:** By Senator Thompson—An act relating to the construction of toll bridges or salinity control barriers in San Francisco Bay, and making an appropriation for a study with respect thereto.

Referred to Committee on Water Resources.

**Senate Bill No. 1141:** By Senator Thompson—An act to amend Section 405 of the Revenue and Taxation Code, relating to the assessment of property for property tax purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1142:** By Senator Desmond—An act to add Section 35105.6 to the Government Code, relating to the annexation to cities of territory in another county.

Referred to Committee on Local Government.

**Senate Bill No. 1143:** By Senator Coombs—An act to amend Section 3 of an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans for sewerage facilities.

Referred to Committee on Local Government.

**Senate Bill No. 1144:** By Senators Way, Tenney, Dorsey, and Breed—An act to amend Section 319 of the Vehicle Code, relating to drivers licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1145:** By Senator Williams—An act to amend Section 10505 of the Water Code, relating to State Water Plan.

Referred to Committee on Water Resources.

**Senate Bill No. 1146:** By Senator Williams—An act to add Sections 106.6 and 6353.5 to the Water Code, relating to water for fish and wild life purposes.

Referred to Committee on Fish and Game.

**Senate Bill No. 1147:** By Senator Gibson—An act to add Section 2.5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session) relative to the Vallejo Sanitation and Flood Control District.

Referred to Committee on Local Government.

**Senate Bill No. 1148:** By Senator Gibson—An act creating the Vallejo Sanitation and Flood Control District, prescribing its organization, powers, and duties.

Referred to Committee on Water Resources.

**Senate Bill No. 1149:** By Senator Breed—An act to amend Section 5549 of the Public Resources Code, relating to the powers and duties of the district manager of a regional park district.

Referred to Committee on Natural Resources.

**Senate Bill No. 1150:** By Senator Breed—An act to amend Section 31553.5 of the Government Code, relating to county retirement systems.

Referred to Committee on Local Government.

**Senate Bill No. 1151:** By Senator Breed—An act to add Section 20802.5 to the Government Code, relating to the State Employees' Retirement System in respect to service creditable to patrol members as highway patrol service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1152:** By Senator Breed—An act to amend Sections 304 and 307 of the Vehicle Code, relating to suspension and revocation of drivers licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1153:** By Senator Breed—An act to amend Section 30210 of the Streets and Highways Code, relating to the signatures on bonds issued by the California Toll Bridge Authority.

Referred to Committee on Transportation.

**Senate Bill No. 1154:** By Senator Dilworth—An act to amend Sections 8052 and 12202 of the Education Code, relating to practice teaching.

Referred to Committee on Education.

**Senate Bill No. 1155:** By Senator Dilworth—An act to amend Section 364 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1156:** By Senators Way, Berry, Murdy, and Abshire—An act to amend Sections 465.8 and 465.9 of the Vehicle Code, relating to highway name signs.

Referred to Committee on Transportation.

**Senate Bill No. 1157:** By Senators Way, Murdy, and Abshire—An act to add Article 2.5 to Chapter 3, Division 9 of the Education Code, relating to the creation of a Division of School Architecture in the Department of Education for the preparation of standard school building plans.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1158:** By Senators Way, Sutton, Erhart, Tenney, and Berry—An act to add Sections 705.5 and 705.7 to the Vehicle Code, relating to the transportation of logs.

Referred to Committee on Transportation.

**Senate Bill No. 1159:** By Senator Miller—An act to add Chapter 4 to Part 2, Division 1, Title 5, of the Government Code, relating to county and city government.

Referred to Committee on Local Government.

**Senate Bill No. 1160:** By Senator Regan—An act to amend Section 143.1 of the Streets and Highways Code, relating to the budgeting and expenditure of state highway funds.

Referred to Committee on Transportation.

**Senate Bill No. 1161:** By Senator Regan—An act to amend Section 186 of the Streets and Highways Code, relating to expenditures for maintenance and general administration purposes.

Referred to Committee on Transportation.

**Senate Bill No. 1162:** By Senator Coombs—An act to authorize a suit or suits against the State of California to quiet title against it to certain real property situated in the County of Napa, State of California.

Referred to Committee on Judiciary.

**Senate Bill No. 1163:** By Senator Coombs—An act to amend Sections 11550 and 11552 of the Government Code and Section 211 of the Financial Code, relating to the salary and term of the office of Superintendent of Banks.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1164:** By Senator Coombs—An act to amend Sections 34600, 34605, 34606, and 34608 of the Government Code, relating to the government of cities.

Referred to Committee on Local Government.

**Senate Bill No. 1165:** By Senator Coombs—An act to amend Section 430 of the Education Code, relating to the compensation of the county superintendent of schools.

Referred to Committee on Local Government.

**Senate Bill No. 1166:** By Senator Weybret—An act to amend Sections 3088.5 and 3474.5 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

**Senate Bill No. 1167:** By Senator Weybret—An act to amend Section 104.5 of the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 1168:** By Senator Weybret—An act to add Section 227aaaa to the Civil Code, relating to the adoption of children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1169:** By Senators O'Gara and Miller—An act to add Article 11, comprising Sections 500 to 515, inclusive, to the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to health insurance, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1170:** By Senators O'Gara and Miller—An act to add Chapter 14, comprising Sections 11535 to 11539, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to reinsurance of catastrophic health risks and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1171:** By Senator Collier—An act to add Section 6953.5 to the Labor Code, relating to safety devices on trains.

Referred to Committee on Labor.

**Senate Bill No. 1172:** By Senator Collier—An act to add Section 7002 to the Labor Code, relating to toilet facilities on cabooses.

Referred to Committee on Labor.

**Senate Bill No. 1173:** By Senator Collier—An act to add Section 7001 to the Labor Code, relating to train cabooses.

Referred to Committee on Labor.



**Senate Bill No. 1174:** By Senator Williams—An act to add Chapter 3.5 to Division 4 of the Water Code, relating to ditches.

Referred to Committee on Water Resources.

**Senate Bill No. 1175:** By Senator Hulse—An act to reappropriate money previously appropriated to the Regents of the University of California.

Referred to Committee on Finance.

**Senate Bill No. 1176:** By Senator Hulse—An act relating to the Capital Outlay and Savings Fund.

Referred to Committee on Finance.

**Senate Bill No. 1177:** By Senator Ed. C. Johnson—An act to amend Section 8361 of the Water Code, relating to flood control.

Referred to Committee on Water Resources.

**Senate Bill No. 1178:** By Senator Weybret—An act to add Section 2154 to the Revenue and Taxation Code, relating to personal property held for sale.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1179:** By Senator Collier—An act to repeal Sections 30605, 30606, 30607, and 30608 of the Streets and Highways Code, to amend Section 100.7 thereof, and to add Sections 30605, and 30607 and Article 2 to Chapter 2 of Division 17 of said code, relating to toll crossings of San Francisco Bay, including approaches thereto, and the expenses of maintaining, operating, and insuring such crossings, and providing for studies of an additional crossing and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1180:** By Senator Collier—An act to amend Section 436 of the Education Code, relating to the compensation of the county superintendent of schools.

Referred to Committee on Local Government.

**Senate Bill No. 1181:** By Senator Collier—An act to revise the system by which revenues are collected for the support of the public streets and highways of the State, and, for that purpose, to amend Sections 130, 140, 140.3, 141, 143, 159, 160, 164, 164.5, 164.7 182.1 371, 372, 372.3, 372.5, 373, 376, 378, and 384 of, and to add Sections 38.2, 50.2, 140.5, 155.5, 372.1, 372.2, and 373.3 to, the Vehicle Code; and to repeal Section 9654 of, to amend Sections 8651, 9606.7, 9651, 10755, 10756, 10757, 10851, 10854, and 10856 of, and to add Section 9654 to, the Revenue and Taxation Code.

Referred to Committee on Transportation.

**Senate Bill No. 1182:** By Senators Miller, Harold T. Johnson, McCarthy, and Way—An act to amend Section 2786 of the Business and Professions Code, relating to nursing education.

Referred to Committee on Business and Professions.

**Senate Bill No. 1183:** By Senators Miller, Harold T. Johnson, McCarthy, and Way—An act to amend Sections 2841 and 2842 of, and to add Chapter 6.6 to Division 2 of the Business and Professions Code, relating to psychiatric technicians.

Referred to Committee on Business and Professions.

**Senate Bill No. 1184:** By Senator Cunningham—An act to amend Section 38f of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), and to amend Sections 23816 and 23821 of, and to add Section 23821.5 to, the Business and Professions Code, relating to on-sale general liquor licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1185:** By Senator Cunningham—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of San Bernardino, State of California, and the disposal of any right, title, or interest of the State of California therein.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1186:** By Senator Cunningham—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of San Bernardino, State of California, and the disposal of any right, title, or interest of the State of California therein.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1187:** By Senators Hoffman and Sutton—An act to amend Section 434 of the Military and Veterans Code, relating to the acquisition of armory sites and the construction of armories and facilities required for the use of the state military forces.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1188:** By Senator Hoffman—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1189:** By Senator Hoffman—An act making an appropriation for the support of the Vocational Education Fund.

Referred to Committee on Education.

**Senate Bill No. 1190:** By Senator Hoffman—An act to amend Section 25823 of the Government Code, relating to the powers of boards of supervisors.

Referred to Committee on Local Government.

**Senate Bill No. 1191:** By Senator Hoffman—An act to add Section 1511.2 to the Welfare and Institutions Code, relating to aid to needy children and the retention of earnings by unemancipated minors.

Referred to Committee on Social Welfare.

**Senate Bill No. 1192:** By Senator Hoffman—An act to amend Section 6359 of the Revenue and Taxation Code, relating to sales and use tax exemptions.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1193:** By Senator Hoffman—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1194:** By Senator Hoffman—An act to repeal Section 5154 of the Public Resources Code, and to add Section 25905 to the Government Code, relating to agricultural fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1195:** By Senator Hoffman—An act to amend Section 21025 of the Government Code, relating to disability retirement.

Referred to Committee on Social Welfare.

**Senate Bill No. 1196:** By Senator Hoffman—An act to amend Section 4850 of the Labor Code, relating to payment of salary in lieu of workmen's compensation benefits.

Referred to Committee on Labor.

**Senate Bill No. 1197:** By Senator Regan—An act to amend Sections 68805 and 69101 of the Government Code, relating to compensation of justices of the supreme courts and the district courts of appeal.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1198:** By Senators Regan, Harold T. Johnson, Miller, and Hulse—An act to add Section 202.5 to the Revenue and Taxation Code, relating to payments by the State in lieu of taxes with respect to tax-exempt property owned by it.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1199:** By Senator Harold T. Johnson—An act to add Section 13.7 to the Construction and Employment Act (Chapter 20 of the Statutes of the First Extraordinary Session of 1946), providing for allocations to counties for the purpose of said act and making appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1200:** By Senator Harold T. Johnson—An act to amend Vehicle Code Section 257, relating to age limit for operators.

Referred to Committee on Transportation.

**Senate Bill No. 1201:** By Senator Grunsky—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Judiciary.

**Senate Bill No. 1202:** By Senator Grunsky—An act to add Article 4.5 to Chapter 5 of Part 2 of Division 4 of the Fish and Game Code, relating to herring.

Referred to Committee on Fish and Game.

**Senate Bill No. 1203:** By Senator Grunsky.—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1204:** By Senator Grunsky.—An act to amend Section 271.2 and to add Sections 271.3, 299, and 305.2 to the Vehicle Code, relating to drivers licenses of minors.

Referred to Committee on Transportation.

**Senate Bill No. 1205:** By Senator Grunsky.—An act to amend Section 276 of the Vehicle Code, relating to terms of operators licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1206:** By Senator Grunsky.—An act to amend Vehicle Code Section 275, relating to suspension or revocation of drivers licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1207:** By Senator Grunsky.—An act to amend Section 10270.5 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1208:** By Senator Grunsky.—An act to amend Section 10202.8 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1209:** By Senator Grunsky.—An act to amend Section 10202 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1210:** By Senator Grunsky.—An act to amend Section 10204 of the Insurance Code, relating to provisions in a policy.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1211:** By Senator Grunsky.—An act to amend Section 10270.6 of the Insurance Code, relating to group insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1212:** By Senator Grunsky.—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Referred to Committee on Transportation.

**Senate Bill No. 1213:** By Senator Grunsky.—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land and the restoration of the Old Glass House located near the City of Watsonville in Monterey County.

Referred to Committee on Natural Resources.



**Senate Bill No. 1214:** By Senator Thompson—An act to amend Section 315 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1215:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 489 of the Penal Code, relating to the punishment of grand theft.

Referred to Committee on Judiciary.

**Senate Bill No. 1216:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 4532 of the Penal Code, relating to the punishment of escapes from jail, industrial farm, road camp or custody of officer.

Referred to Committee on Judiciary.

**Senate Bill No. 1217:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 476a of the Penal Code, relating to the punishment of making or uttering fictitious checks.

Referred to Committee on Judiciary.

**Senate Bill No. 1218:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 2780.1 of the Penal Code, relating to the prison work camps.

Referred to Committee on Judiciary.

**Senate Bill No. 1219:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to add Section 18b to the Penal Code, relating to the minimum punishment for felony.

Referred to Committee on Judiciary.

**Senate Bill No. 1220:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 18 of the Penal Code, relating to punishment of felony when not otherwise prescribed.

Referred to Committee on Judiciary.

**Senate Bill No. 1221:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 3041 of the Penal Code, relating to the time determination of parole may be made.

Referred to Committee on Judiciary.

**Senate Bill No. 1222:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 3020 of the Penal Code, relating to the authority of board in determining and redetermining term of imprisonment.

Referred to Committee on Judiciary.

**Senate Bill No. 1223:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 2900 of the Penal Code, relating to the commencement of term of imprisonment and the effect of temporary release therefrom.

Referred to Committee on Judiciary.

**Senate Bill No. 1224:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1225:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to amend Section 209 of the Penal Code, relating to the punishment for kidnapping of person or holding of state property in defiance of official orders.

Referred to Committee on Judiciary.

**Senate Bill No. 1226:** By Senators Byrne, Erhart, McCarthy, Hoffman, and Burns—An act to add Section 3300.6 to the Health and Safety Code, relating to the payment of burial expenses of tuberculosis patients in institutions subject to the jurisdiction of the Department of Corrections.

Referred to Committee on Institutions.

**Senate Bill No. 1227:** By Senator Byrne—An act to amend Section 20254 of the Education Code, relating to schools and colleges under the jurisdiction of the Department of Education.

Referred to Committee on Education.

**Senate Bill No. 1228:** By Senator Byrne—An act to amend Section 12025 of the Education Code, relating to accreditation of teacher education institutions.

Referred to Committee on Education.

**Senate Bill No. 1229:** By Senator Byrne—An act to amend Section 14632 of the Education Code, relating to the State Teacher's Retirement System.

Referred to Committee on Education.

**Senate Bill No. 1230:** By Senator Byrne—An act to amend Section 21159 of the Education Code, relating to refunds of student fees in state colleges.

Referred to Committee on Education.

**Senate Bill No. 1231:** By Senators Byrne, Abshire, Harold T. Johnson, Dilworth, Coombs, Powers, Way, Sutton, and Desmond—An act making an appropriation to the departmental accounting officer, Department of Agriculture, for the payment of claims against the State of California.

Referred to Committee on Finance.

**Senate Bill No. 1232:** By Senator Byrne—An act to add Section 870.5 to the Agricultural Code, relating to olives.

Referred to Committee on Agriculture.

**Senate Bill No. 1233:** By Senator Byrne—An act to amend Sections 419, 421, 422.1, and 422.3 of the Vehicle Code, relating to persons subject to the security following accident law, and releases thereunder.

Referred to Committee on Transportation.

**Senate Bill No. 1234:** By Senator Brown—An act to add Section 5082.3 to the Business and Professions Code, relating to the practice of public accounting.

Referred to Committee on Business and Professions.

**Senate Bill No. 1235:** By Senator Ward—An act to add Section 39.2 to the Unemployment Insurance Act, relating to employer reserve accounts.

Referred to Committee on Social Welfare.

**Senate Bill No. 1236:** By Senator Ward—An act to amend Section 25 of the Vehicle Code, relating to driving upon divided highways.

Referred to Committee on Transportation.

**Senate Bill No. 1237:** By Senator Ward—An act to add Section 474.5 to the Vehicle Code, relating to injury to highways.

Referred to Committee on Transportation.

**Senate Bill No. 1238:** By Senator Cunningham—An act to add Section 5407.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1239:** By Senator Cunningham—An act to amend Section 4903 of the Labor Code and Section 207 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to the lien of unemployment compensation disability benefits against workmen's compensation payments.

Referred to Committee on Labor.

**Senate Bill No. 1240:** By Senator Cunningham—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1241:** By Senator Cunningham—An act to amend Sections 4452, 4453, 4455, 4460, 4653, 4654, and 4655 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1242:** By Senator Cunningham—An act to amend Sections 4600 and 4604 of the Labor Code, to repeal Sections 4601, 4602, and 4603 thereof, and to add Sections 4601, 4602, and 4603 thereto, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1243:** By Senator Cunningham—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits.

Referred to Committee on Labor.

**Senate Bill No. 1244:** By Senator Cunningham—An act to add Section 4664 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1245:** By Senator Cunningham—An act to amend Section 4903 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1246:** By Senator Cunningham—An act to amend Section 207 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1247:** By Senators Ward, Harold T. Johnson, and Parkman—An act to amend Sections 5313 and 5315 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1248:** By Senators Ward, Harold T. Johnson, and Parkman—An act to amend Section 5708 of the Labor Code relating to hearings and investigations in workmen's compensation proceedings.

Referred to Committee on Labor.

**Senate Bill No. 1249:** By Senator Cunningham—An act to amend Sections 4701 and 4702 of the Labor Code, relating to workmen's compensation benefits.

Referred to Committee on Labor.

**Senate Bill No. 1250:** By Senator Cunningham—An act to amend Section 5405 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senator Ed. C. Johnson Presiding**

At 4.20 p.m., Senator Ed. C. Johnson of the Tenth District, presiding.

**Senate Bill No. 1251:** By Senator Cunningham—An act to add Section 5314 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1252:** By Senator Parkman—An act to add Article 9 to Title 5, Division 1, Part 1, Chapter 2 of the Government Code.

Referred to Committee on Local Government.

**Senate Bill No. 1253:** By Senator Parkman—An act to amend Sections 9801 and 9807 of the Education Code, relating to the education of mentally retarded minors.

Referred to Committee on Education.

**Senate Bill No. 1254:** By Senator Parkman—An act to amend Section 14396 of the Government Code, relating to modifications, performance and payment in connection with contracts under the State Contract Act.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1255:** By Senator Parkman—An act to amend Section 14272 of the Government Code, relating to the performance of work under the State Contract Act.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 1256:** By Senators Parkman and McBride—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1257:** By Senator Donnelly—An act to amend Sections 23750 and 23770 of the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1258:** By Senator Collier—An act to repeal Sections 2.14, 4.21, 5.43, and 13.4 and to amend Sections 1.1, 2.7, 2.8, 3.2, 4.3, 4.9, 4.10, 4.12, 4.13, 4.16, 6.5, and 7.1 of the Los Angeles Metropolitan Transit Authority Act and relating to the territorial jurisdiction and the powers of the authority and to tax exemptions and eliminating the jurisdiction of the Public Utilities Commission.

Referred to Committee on Public Utilities.

**Senate Bill No. 1259:** By Senator Sutton—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1260:** By Senator Sutton—An act to amend Section 440 of the Education Code, relating to compensation for public service in counties of the fortieth class.

Referred to Committee on Local Government.

**Senate Bill No. 1261:** By Senator Cunningham—An act to amend Sections 5075 and 5076 of the Welfare and Institutions Code, to repeal Section 5078 thereof, and to amend the heading of Article 4, Chapter 1, Part 1, Division 6 of said code, and to add Chapter 4 to Division 3 of said code, relating to aged and infirm persons who need care or custody.

Referred to Committee on Social Welfare.

**Senate Bill No. 1262:** By Senator Collier—An act to amend Section 75 of the Streets and Highways Code, relating to the powers and duties of the California Highway Commission.

Referred to Committee on Transportation.

**Senate Bill No. 1263:** By Senator Collier—An act to amend Section 111.5 of the Streets and Highways Code, relating to one-way streets.

Referred to Committee on Transportation.

**Senate Bill No. 1264:** By Senator Collier—An act to amend Sections 419, 521, and 613.2 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1265:** By Senator Collier—An act to amend Section 710 and to repeal Section 711 of the Vehicle Code, relating to the use of highways by vehicles of excessive size or weight.

Referred to Committee on Transportation.

**Senate Bill No. 1266:** By Senator Collier—An act to add Part 3.5, comprising Sections 9401 to 9600.48, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the levy and collection of an interstate highway use tax and annual license fee, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1267:** By Senator Collier—An act to repeal Chapter 89 of the Statutes of 1939, relating to citrus pest control districts.

Referred to Committee on Agriculture.

**Senate Bill No. 1268:** By Senator Collier—An act to repeal Chapter 426 of the Statutes of 1923, relating to water conservation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1269:** By Senator Collier—An act to repeal Chapter 861 of the Statutes of 1927, relating to the Ventura County Harbor District.

Referred to Committee on Local Government.

**Senate Bill No. 1270:** By Senator Collier—An act to repeal Chapter 1109 of the Statutes of 1939, relating to transportation districts.

Referred to Committee on Local Government.

**Senate Bill No. 1271:** By Senator Collier—An act to repeal Chapter 346 of the Statutes of 1909, relating to swamp land, levee or reclamation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1272:** By Senator Collier—An act to repeal Chapter 629 of the Statutes of 1873-4, relating to Swamp Land No. 150 District.

Referred to Committee on Water Resources.

**Senate Bill No. 1273:** By Senator Collier—An act to repeal Chapter 1100 of the Statutes of 1939, relating to storm drain maintenance districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1274:** By Senator Collier—An act to repeal Chapter 479 of the Statutes of 1923, relating to the Santa Clara County Irrigation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1275:** By Senator Collier—An act to repeal Chapter 822 of the Statutes of 1921, relating to the Santa Clara County Irrigation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1276:** By Senator Collier—An act to repeal Chapter 36 of the Statutes of 1903, relating to Union Island No. 1 and 2, Reclamation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1277:** By Senator Collier—An act to repeal Chapter 481 of the Statutes of 1871-2, relating to the Mormon Slough Reclamation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1278:** By Senator Collier—An act to repeal Chapter 792 of the Statutes of 1927, relating to the Bayside Reclamation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1279:** By Senator Collier—An act to repeal Chapter 728 of the Statutes of 1909, relating to the American River No. 1, Reclamation Districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1280:** By Senator Collier—An act to repeal Chapter 591 of the Statutes of 1915, relating to Reclamation District No. 1660.

Referred to Committee on Water Resources.

**Senate Bill No. 1281:** By Senator Collier—An act to repeal Chapter 195 of the Statutes of 1913, relating to Reclamation District No. 1600.

Referred to Committee on Water Resources.

**Senate Bill No. 1282:** By Senator Collier—An act to repeal Chapter 384 of the Statutes of 1913, relating to Reclamation District No. 1400.

Referred to Committee on Water Resources.

**Senate Bill No. 1283:** By Senator Collier—An act to repeal Chapter 100 of the Statutes of 1911, relating to Reclamation District No. 900.

Referred to Committee on Water Resources.

**Senate Bill No. 1284:** By Senator Collier—An act to repeal Chapter 567 of the Statutes of 1877-8, relating to Reclamation District No. 254.

Referred to Committee on Water Resources.

**Senate Bill No. 1285:** By Senator Collier—An act to repeal Chapter 348 of the Statutes of 1877-8, relating to Reclamation District No. 252.

Referred to Committee on Water Resources.

**Senate Bill No. 1286:** By Senator Collier—An act to repeal Chapter 552 of the Statutes of 1905, relating to Reclamation District No. 70.

Referred to Committee on Water Resources.

**Senate Bill No. 1287:** By Senator Collier—An act to repeal Chapter 194 of the Statutes of 1913, relating to Reclamation District No. 10.

Referred to Committee on Water Resources.

**Senate Bill No. 1288:** By Senator Collier—An act to repeal Chapter 718 of the Statutes of 1911, relating to overflow districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1289:** By Senator Collier—An act to repeal Chapter 724 of the Statutes of 1909, relating to municipal water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1290:** By Senator Collier—An act to repeal Chapter 166 of the Statutes of 1891, relating to the Sutter County No. 6 Levee District.

Referred to Committee on Water Resources.

**Senate Bill No. 1291:** By Senator Collier—An act to repeal Chapter 299 of the Statutes of 1875-6, relating to the Sutter County No. 2 Levee District.

Referred to Committee on Water Resources.

**Senate Bill No. 1292:** By Senator Collier—An act to repeal Chapter 551 of the Statutes of 1877-8, relating to the Sacramento County No. 1 Levee District.

Referred to Committee on Water Resources.

**Senate Bill No. 1293:** By Senator Collier—An act to repeal Chapter 470 of the Statutes of 1877-8, relating to the Bear River No. 1 District.

Referred to Committee on Water Resources.

**Senate Bill No. 1294:** By Senator Collier—An act to repeal Chapter 756 of the Statutes of 1935, relating to horticultural protection districts.

Referred to Committee on Agriculture.

**Senate Bill No. 1295:** By Senator Collier—An act to repeal Chapter 388 of the Statutes of 1933, relating to horticultural development districts.

Referred to Committee on Agriculture.

**Senate Bill No. 1296:** By Senator Collier—An act to repeal Chapter 680 of the Statutes of 1909, relating to the Yolo Basin Drainage District.

Referred to Committee on Water Resources.

**Senate Bill No. 1297:** By Senator Collier—An act to repeal Chapter 381 of the Statutes of 1867-8, relating to the Washington Drainage District of Yolo County.

Referred to Committee on Water Resources.

**Senate Bill No. 1298:** By Senator Collier—An act to repeal Chapter 643 of the Statutes of 1877-8, relating to the Sacramento River Drainage District.

Referred to Committee on Water Resources.

**Senate Bill No. 1299:** By Senator Collier—An act to repeal Chapter 102 of the Statutes of 1923, relating to drainage districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1300:** By Senator Collier—An act to repeal Chapter 228 of the Statutes of 1897, relating to drainage districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1301:** By Senator Collier—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Referred to Committee on Water Resources.



**Senate Bill No. 1302:** By Senator Collier—An act to repeal Chapter 299 of the Statutes of 1935, relating to county road camps.

Referred to Committee on Transportation.

**Senate Bill No. 1303:** By Senator Collier—An act to repeal Chapter 745 of the Statutes of 1915, relating to county power pumping districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1304:** By Senator Collier—An act to repeal Chapter 332 of the Statutes of 1919, relating to conservancy districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1305:** By Senator Collier—An act to amend the title of Article 4 of Chapter 1 of Division 4 of Title 4 and Sections 43090 and 43099 and to repeal Chapter 4 of Part 3 of Division 3 of Title 4, Article 1 of Chapter 1 of Division 4 of Title 4 and Sections 43031, 43032, 43033, 43034, 43061, 43062, 43063, 43064, 43065, 43066, 43067, 43071, and 43091 of the Government Code, relating to city taxation.

Referred to Committee on Local Government.

**Senate Bill No. 1306:** By Senator Collier—An act to amend Sections 254.5, 255, 405, 407, 441, 448, 467, 565, 569, 616, 647, 751, 753, 754, 755, 756, 757, 758, 759, 791, 1603, 1647, 1833, 1834, 1839, 1905, 1906, 2001, 2192, 2907, 2908.3, 2909, 2910, and 2922 of the Revenue and Taxation Code, Sections 29040, 29067, 29070, 29071, 29073, 29074, 29080, 29091, 29171, 43002, 43033, 43065, 43091, 43092, 43093, and 54902 of the Government Code, and Sections 6301, 6302, 6304, 6305, 6306, 6331, and 6361 of the Education Code, relating to county, city and district finance, budgets, and property taxes.

Referred to Committee on Local Government.

**Senate Bill No. 1307:** By Senator Collier—An act to amend Sections 11420, 11422, 11423, 11424, and 11426 of the Government Code, relating to regulations of state agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1308:** By Senator Tenney—An act to amend Section 79.19 of the Code of Civil Procedure, relating to the annual salary of each of the judges of the Superior Court in and for the County of Los Angeles.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1309:** By Senator Tenney—An act adding Section 72720 to the Government Code, relating to judges, officers and attaches of the Municipal Court, Los Angeles Judicial District.

Referred to Committee on Local Government.

**Senate Bill No. 1310:** By Senator Tenney—An act providing that Sections 72717, 72718, and 72719 be added to the Government Code, relating to officers and attaches of the Municipal Court, Los Angeles Judicial District.

Referred to Committee on Local Government.

**Senate Bill No. 1311:** By Senator Tenney—An act to amend Section 72715 of the Government Code, relating to the Municipal Court, Los Angeles Judicial District.

Referred to Committee on Local Government.

**Senate Bill No. 1312:** By Senator Tenney—An act to amend Section 73a of the Code of Civil Procedure, relating to expenses of judges.

Referred to Committee on Local Government.

**Senate Bill No. 1313:** By Senator Tenney—An act to amend Section 67a of the Code of Civil Procedure, relating to judges of the superior court in counties of the first class and the number of judges thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1314:** By Senator Tenney—An act adding Section 8 to "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," being Chapter 1420 of Statutes of 1951.

Referred to Committee on Local Government.

**Senate Bill No. 1315:** By Senator Tenney—An act amending "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," being Chapter 1420 of Statutes of 1951, by amending Section 7 thereof and adding thereto Sections 8 and 9, relative to the office of marshal of municipal courts, Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 1316:** By Senator Tenney—An act adding Section 72653 to the Government Code, relative to the marshal, municipal courts, Los Angeles County.

Referred to Committee on Local Government.

**Senate Bill No. 1317:** By Senator Tenney—An act adding Section 9 to "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," being Chapter 1420 of Statutes of 1951.

Referred to Committee on Local Government.

**Senate Bill No. 1318:** By Senator Weybret—An act to repeal and Section 2354.1 to the Welfare and Institutions Code, relating to financial statements made by institutions providing life care services.

Referred to Committee on Institutions.

**Senate Bill No. 1319:** By Senator Sutton—An act to provide for the establishment and maintenance of a trail originating on the northerly shore of Clear Lake in Lake County and proceeding to a junction with the Coast and Redwood Trail in Humboldt County, pursuant to the provisions of Article 6, Chapter 1 of Division 5 of the Public Resources Code, relating to riding and hiking trails.

Referred to Committee on Natural Resources.

**Senate Bill No. 1320:** By Senator Williams—An act to add Section 14034.1 to the Government Code, relating to the Water Resources Revolving Fund and making an appropriation to the Water Resources Revolving Fund for providing working capital.

Referred to Committee on Water Resources.

**Senate Bill No. 1321:** By Senator Williams—An act to amend Section 54130 of the Government Code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1322:** By Senator Williams—An act to amend Section 802 of the Agricultural Code, relating to sugar content of grapes.

Referred to Committee on Agriculture.

**Senate Bill No. 1323:** By Senators Mayo and Brown—An act providing that the State of California enter into a compact with the eleven western states and the Territories of Alaska and Hawaii, each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1324:** By Senator Gibson—An act making an appropriation to the Department of Public Works, relating to the repair of the stream banks of Putah Creek and the expenditure of money appropriated therefor.

Referred to Committee on Finance.

**Senate Bill No. 1325:** By Senator Gibson—An act making an appropriation to the Department of Public Works, relating to the repair of the stream banks of Putah Creek and the expenditure of money appropriated therefor.

Referred to Committee on Finance.

**Senate Bill No. 1326:** By Senator Gibson—An act to amend Section 54904 of the Government Code, relating to alteration of boundaries of cities.

Referred to Committee on Local Government.

**Senate Bill No. 1327:** By Senator Gibson—An act to add Section 35116.1 to the Government Code, relating to annexation of territory to cities.

Referred to Committee on Local Government.

**Senate Bill No. 1328:** By Senator Gibson—An act to add Section 35004 to the Government Code, relating to annexation of territory to cities.

Referred to Committee on Local Government.

**Senate Bill No. 1329:** By Senator Gibson—An act to add Sections 50022.1 to 50022.8, inclusive, to the Government Code, relating to the enactment of ordinances by local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 1330:** By Senator Byrne—An act to add Section 451.5 to the Unemployment Insurance Act (Ch. 352 of the Statutes of 1935), relating to the proration of benefits paid individuals simultaneously covered for benefits by two or more plans.

Referred to Committee on Social Welfare.

**Senate Bill No. 1331:** By Senator Byrne—An act to amend Section 455 of the Unemployment Insurance Act (Ch. 352 of the Statutes of 1935), relating to the proration of benefits paid individuals simultaneously covered by two or more plans.

Referred to Committee on Social Welfare.

**Senate Bill No. 1332:** By Senator Byrne—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers of admitted insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1333:** By Senator Byrne—An act to repeal and add Section 5699 of the Elections Code, relating to conduct of elections.

Referred to Committee on Elections.

**Senate Bill No. 1334:** By Senator McBride—An act to add Section 2.5 to, and to repeal Section 3 of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the performance of work for the Federal Government.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1335:** By Senator McBride—An act to add Part 10 to Division 3 of Title 2 of the Government Code, relating to a commission to administer the law relating to county and district agricultural association fairs.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1336:** By Senator Burns—An act to add Section 2556(a) to the Business and Professions Code, relating to dispensing opticians.

Referred to Committee on Business and Professions.

**Senate Bill No. 1337:** By Senator Burns—An act to amend Section 16484 of the Education Code, relating to reports of physical defects.

Referred to Committee on Education.

**Senate Bill No. 1338:** By Senator Burns—An act to amend Section 6363 of the Revenue and Taxation Code, relating to the exemption of meals and food products from sales and use tax.

Referred to Committee on Revenue and Taxation.



**Senate Bill No. 1339:** By Senator Burns—An act to appropriate money to the Department of Agriculture for surveys of raisin production.

Referred to Committee on Agriculture.

**Senate Bill No. 1340:** By Senator Burns—An act to amend Sections 7625, 7626, 7628, 7649, 7668, 7686.5, and 7725 of the Business and Professions Code, relating to the licensing of funeral establishments, the licensing of funeral directors and embalmers, and the registering of apprentice embalmers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1341:** By Senator Burns—An act to add Section 718f to the Civil Code, relating to the leasing of lands for the purpose of effecting production of minerals, oil, gas, and other hydrocarbon substances from other lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1342:** By Senator Burns—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 414, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Referred to Committee on Local Government.

**Senate Bill No. 1343:** By Senator Burns—An act to amend Section 1676 of the Health and Safety Code, relating to the care of laboratory animals.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1344:** By Senator Burns—An act to add Sections 6051.1, 6051.2, 6201.1 and 6201.2 to the Revenue and Taxation Code of the State of California, relating to uniform sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1345:** By Senator Burns—An act to amend Section 1705 of the Dental Practice Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 1346:** By Senator Burns—An act to amend Section 1628 of the Dental Practice Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 1347:** By Senator Burns—An act to add Section 54.3 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1348:** By Senator Burns—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempt from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1349:** By Senator Burns—An act to amend Sections 2393 and 2429 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Senate Bill No. 1350:** By Senator Burns—An act to amend Section 16304 of the Government Code, relating to the reversion of appropriations.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1351:** By Senator Burns—An act to amend Section 114 of, and to add Section 114.5 to, the Business and Professions Code, relating to the reinstatement of licenses of persons serving in the armed forces.

Referred to Committee on Business and Professions.

**Senate Bill No. 1352:** By Senator Burns—An act to amend Section 160.1 of the Agricultural Code, relating to agricultural pest control operators.

Referred to Committee on Agriculture.

**Senate Bill No. 1353:** By Senator Burns—An act to amend Sections 799 and 802 of the Agricultural Code, relating to grapes.

Referred to Committee on Agriculture.

**Senate Bill No. 1354:** By Senator Burns—An act to add Section 113.5 to the Business and Professions Code, relating to members of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1355:** By Senator Burns—An act to amend Section 125 of, and to add Section 125.5 to, the Business and Professions Code, relating to boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1356:** By Senator Burns—An act to add Section 117 to the Business and Professions Code, relating to members of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1357:** By Senator Burns—An act to add Section 126 to the Business and Professions Code, relating to disciplinary proceedings conducted by boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1358:** By Senator Burns—An act to add Section 127 to the Business and Professions Code, relating to the revocation or suspension of licenses.

Referred to Committee on Business and Professions.

**Senate Bill No. 1359:** By Senator Burns—An act to add Section 128 to the Business and Professions Code, relating to compensation for services.

Referred to Committee on Business and Professions.

**Senate Bill No. 1360:** By Senator Burns—An act to add Section 202.5 to the Business and Professions Code, relating to funds of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1361:** By Senator Burns—An act to add Section 405 to the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards and making an appropriation, to take effect immediately.

Referred to Committee on Business and Professions.

**Senate Bill No. 1362:** By Senator Burns—An act to amend Section 159 of the Business and Professions Code, relating to the administration of oaths.

Referred to Committee on Business and Professions.

**Senate Bill No. 1363:** By Senator Burns—An act to add Section 156 to the Business and Professions Code, relating to contracts of the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1364:** By Senator Burns—An act to add Section 130 to the Business and Professions Code, relating to licensing of business and professions.

Referred to Committee on Business and Professions.

Assistant Secretary Leslie Miller at the Desk

**Senate Bill No. 1365:** By Senator Burns—An act to add Section 129 to the Business and Professions Code, relating to the sale of businesses.

Referred to Committee on Business and Professions.

**Senate Bill No. 1366:** By Senator Burns—An act to add Section 116 to the Business and Professions Code, relating to licensing by boards within the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

**Senate Bill No. 1367:** By Senator Dilworth—An act to add Chapter 2 to Division 7 of the Education Code, and to amend Sections 13521 and 13526 of said code, relating to school district employees.

Referred to Committee on Education.

**Senate Bill No. 1368:** By Senator Parkman—An act to add Article 15 to Chapter 3, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1369:** By Senators Thompson and Kraft—An act to amend Sections 2164 and 2165 of the Welfare and Institutions Code, relating to property qualifications for recipients of public assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1370:** By Senators Thompson and Hoffman—An act to amend Section 274 of the Vehicle Code, relating to vehicles and drivers thereof.

Referred to Committee on Transportation.

**Senate Bill No. 1371:** By Senators Thompson and Hoffman—An act making an appropriation to the Department of Agriculture for the purpose of providing Market News Service.

Referred to Committee on Agriculture.

**Senate Bill No. 1372:** By Senator Thompson—An act to amend Section 35323 of the Government Code, relating to the annexation of territories.

Referred to Committee on Local Government.

**Senate Bill No. 1373:** By Senator Regan—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1374:** By Senator Regan—An act to amend Section 6 of the Alcoholic Beverages Contract Act, relating to alcoholic beverage.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1375:** By Senator Murdy—An act to add Section 3208.5 to, and to repeal Section 5500.5 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1376:** By Senator Murdy—An act to amend Sections 3203 and 5705 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1377:** By Senator Murdy—An act to amend Sections 3208 and 3600 of, and to add Section 3208.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1378:** By Senator Murdy—An act to add Section 5008 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1379:** By Senator Murdy—An act to add Section 4700.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.



**Senate Bill No. 1380:** By Senator Murdy—An act to amend Section 4751 of, and to add Section 4753.6 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1381:** By Senator Murdy—An act to amend Section 4657 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1382:** By Senator Miller—An act establishing a Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the causes of industrial disputes by encouraging collective bargaining, and making an appropriation.

Referred to Committee on Labor.

**Senate Bill No. 1383:** By Senator Miller—An act to provide for the construction and maintenance of storm drain improvements and of other water courses or drainage channels; the formation, management, alteration of boundaries and dissolution of such districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Referred to Committee on Water Resources.

**Senate Bill No. 1384:** By Senators Miller, McBride, Donnelly, Byrne, McCarthy, Dorsey, O'Gara, and Montgomery—An act relating to the construction of buildings, improvement of grounds, and purchase of equipment for the school for cerebral palsied children, Northern California, and making an appropriation therefor.

Referred to Committee on Institutions.

**Senate Bill No. 1385:** By Senator Grunsky—An act to amend Section 1943 of the Civil Code, relating to hiring of real property.

Referred to Committee on Judiciary.

**Senate Bill No. 1386:** By Senator Grunsky—An act to amend Sections 1624 of the Civil Code and 1973 of the Code of Civil Procedure, relating to agreements required to be in writing.

Referred to Committee on Judiciary.

**Senate Bill No. 1387:** By Senator Grunsky—An act to amend Section 700 of the Streets and Highways Code, relating to "utility facilities."

Referred to Committee on Judiciary.

**Senate Bill No. 1388:** By Senator Grunsky—An act to amend Sections 112, 115, 3354, 4053, 4650, 4904, 5700, 5814, to repeal Section 4651.1 of, and to add Section 4910 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1389:** By Senator Grunsky—An act to add Section 3211.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1390:** By Senator Grunsky—An act to add Sections 4553.1 and 4553.2 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1391:** By Senator Grunsky—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability in workmen's compensation cases.

Referred to Committee on Labor.

**Senate Bill No. 1392:** By Senator Grunsky—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1393:** By Senator Grunsky—An act to amend Section 5412 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Senate Bill No. 1394:** By Senator Grunsky—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation for industrial disease.

Referred to Committee on Labor.

**Senate Bill No. 1395:** By Senator Collier—An act to create a Department of Transportation by adding Sections 85 to 87, inclusive, to, amending Sections 20, 70, 130.1, 130.2, 30050, 30051, 30057, and the headings of Articles 2 and 3 of Chapter 1, Division 1, and Article 4 of Chapter 1, Division 17 of the Streets and Highways Code, by repealing Article 1 of Chapter 1, Division 1 of said code, by adding Section 14254.5 to, and amending Sections 11005, 11009, 11551, 12040, 12470, 13370, 14255, 14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049 of the Government Code, by amending Sections 5023 and 10002 of the Public Resources Code, Section 2760 of the Penal Code, Sections 5208 and 5215 of the Business and Professions Code, and Section 3.4 of the World Trade Center Authorities Act, (Chapter 1508 of the Statutes of 1947), and Section 39 of The San Francisco Bay Area Metropolitan Rapid Transit District Act, (Chapter 1239 of the Statutes of 1949), all relating to public works.

Referred to Committee on Transportation.

**Senate Bill No. 1396:** By Senator Hoffman—An act to amend Section 413 of the Education Code, relating to the salary of the superintendent of schools of a county of the thirteenth class.

Referred to Committee on Local Government.

**Senate Bill No. 1397:** By Senators Hoffman, Desmond, and Gibson—An act creating the Water Protection District No. 2, providing for activation, organization and its government and prescribing its powers and duties.

Referred to Committee on Water Resources.

**Senate Bill No. 1398:** By Senator Hoffman—An act to amend Section 754 of the Probate Code, relating to the sale of property and assets of the estate of a deceased person.

Referred to Committee on Judiciary.

**Senate Bill No. 1399:** By Senator Hoffman—An act to amend Section 785 of the Probate Code, relating to the sale of property or assets of the estate of a deceased person.

Referred to Committee on Judiciary.

**Senate Bill No. 1400:** By Senator Hoffman—An act to amend Section 1040 of the Probate Code, relating to estates of nonresident decedents.

Referred to Committee on Judiciary.

**Senate Bill No. 1401:** By Senator Kraft—An act to amend Sections 4004, 4031, and 4090 of, to repeal Section 4001 of, and to add Section 4001 to, the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1402:** By Senator Kraft—An act to add Section 4049 to the Business and Professions Code, relating to definition of brand name of drugs.

Referred to Committee on Business and Professions.

**Senate Bill No. 1403:** By Senator Kraft—An act to amend Section 6537 of the Business and Professions Code, relating to admission to barber colleges.

Referred to Committee on Business and Professions.

**Senate Bill No. 1404:** By Senator Kraft—An act to amend Section 7302 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1405:** By Senator Kraft—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1406:** By Senator Kraft—An act to amend Section 7420 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1407:** By Senator Kraft—An act to amend Section 137.3 of the Civil Code, relating to costs and attorney's fees arising from divorce and separate maintenance action.

Referred to Committee on Judiciary.

**Senate Bill No. 1408:** By Senator Kraft—An act to amend Section 138 of the Civil Code, relating to custody of children.

Referred to Committee on Judiciary.

**Senate Bill No. 1409:** By Senator Kraft—An act to amend Section 139 of the Civil Code, relating to allowances for support and maintenance resulting from divorce or separate maintenance actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1410:** By Senator Kraft—An act to amend Section 142 of the Civil Code, relating to payment of alimony.

Referred to Committee on Judiciary.

**Senate Bill No. 1411:** By Senator Kraft—An act to amend Section 146 of the Civil Code, relating to disposition of property following dissolution or termination of marriage.

Referred to Committee on Judiciary.

**Senate Bill No. 1412:** By Senator Kraft—An act to amend Section 159 of the Civil Code, relating to contracts between husband and wife.

Referred to Committee on Judiciary.

**Senate Bill No. 1413:** By Senator Kraft—An act to amend Section 79.37 of the Code of Civil Procedure and Section 69677 of the Government Code, relating to salaries of superior court judges in San Diego County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1414:** By Senator Kraft—An act to amend Section 316 of, and to add Section 316.5 to, the Education Code, relating to the power of county boards of education.

Referred to Committee on Local Government.

**Senate Bill No. 1415:** By Senator Kraft—An act to amend Section 494 of the Education Code, relating to compensation of county superintendent of schools.

Referred to Committee on Local Government.

**Senate Bill No. 1416:** By Senator Kraft—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts.

Referred to Committee on Education.

**Senate Bill No. 1417:** By Senator Kraft—An act to amend Section 7252 of the Education Code, relating to secondary schools.

Referred to Committee on Education.

**Senate Bill No. 1418:** By Senator Kraft—An act to amend Section 10501 of the Education Code, relating to approval of high school courses.

Referred to Committee on Education.

**Senate Bill No. 1419:** By Senator Kraft—An act to amend Section 10522 of the Education Code, relating to powers of the Superintendent of Public Instruction.

Referred to Committee on Education.



**Senate Bill No. 1420:** By Senator Kraft—An act to add Section 14745.5 to the Education Code, relating to the use and disposition of certain funds in the possession of school districts discontinuing local district retirement plans.

Referred to Committee on Local Government.

**Senate Bill No. 1421:** By Senator Kraft—An act to amend Section 16791 of the Education Code, relating to county supervisor of attendance.

Referred to Committee on Local Government.

**Senate Bill No. 1422:** By Senator Kraft—An act to amend Section 18851 of the Education Code, relating to purchase and sale of school property and equipment.

Referred to Committee on Education.

**Senate Bill No. 1423:** By Senator Kraft—An act to amend Sections 19601, 19601.5, 19601.6, and 19601.7 of, repeal Section 19602.3 of, amend Sections 19605 and 19607.4 of, add Section 19607.6 to, and amend Sections 19610 and 19613.5 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 1424:** By Senator Kraft—An act to amend Sections 19608 and 19611 of the Education Code, and to add Sections 19611.3 and 19611.6 thereto, relating to child care centers in respect to the retirement status, rights, and obligations of persons employed therein, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Senate Bill No. 1425:** By Senator Kraft—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Referred to Committee on Education.

**Senate Bill No. 1426:** By Senator Kraft—An act to add Article 3.1 to Chapter 2 of Division 1 of the Elections Code, relating to the form of registration affidavits.

Referred to Committee on Elections.

**Senate Bill No. 1427:** By Senator Kraft—An act to add Section 665.1 to the Elections Code, relating to the establishment of polling places.

Referred to Committee on Elections.

**Senate Bill No. 1428:** By Senator Kraft—An act to add Article 1.5 to Chapter 7 of Division 9 of the Elections Code, relating to canvass of returns of special or local elections.

Referred to Committee on Elections.

**Senate Bill No. 1429:** By Senator Kraft—An act to add Section 1229 to the Government Code, relating to leaves of absence for service in the United States Public Health Service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1430:** By Senator Kraft—An act to add Sections 26220, 26221, and 26222 to the Government Code relating to the assignment of delinquent county claims and accounts to licensed collection agencies for the purpose of collection.

Referred to Committee on Local Government.

**Senate Bill No. 1431:** By Senator Kraft—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Referred to Committee on Local Government.

**Senate Bill No. 1432:** By Senator Kraft—An act to amend Section 38792 of the Government Code, relating to dog licenses.

Referred to Committee on Local Government.

**Senate Bill No. 1433:** By Senator Kraft—An act to amend Government Code Section 39731 and to add thereto new sections numbered 39731.1 and 39731.2, relating to acquiring, operating, paying the cost of acquiring and operating, and protecting the property and revenues of ferry systems owned by fifth and sixth class cities.

Referred to Committee on Local Government.

**Senate Bill No. 1434:** By Senator Kraft—An act to amend Section 45053 of the Government Code, relating to employment of retired persons by cities.

Referred to Committee on Local Government.

**Senate Bill No. 1435:** By Senator Kraft—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54384, 54420, 54421, 54422, 54423, 54427, 54431, 54432, 54434, 54467, 54478, 54514, 54515, 54519, 54522, and 54552 of the Government Code and by adding Section 54615 to the Government Code, all relating to the authorization, issue, and sale of revenue bonds by local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 1436:** By Senator Kraft—An act to add Section 73302 to the Government Code, relating to attaches in the municipal courts established in judicial districts in San Diego County.

Referred to Committee on Local Government.

**Senate Bill No. 1437:** By Senator Kraft—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1438:** By Senator Kraft—An act to amend Sections 29001 and 29022 and to repeal Section 29015.1 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1439:** By Senator Kraft—An act to amend Section 270e of the Penal Code and Section 195 of the Civil Code, relating to presumptions of illegitimacy.

Referred to Committee on Judiciary.

**Senate Bill No. 1440:** By Senator Kraft—An act to amend Section 1203.11 of the Penal Code, relating to reports of the probation officer.

Referred to Committee on Judiciary.

**Senate Bill No. 1441:** By Senator Kraft—An act to amend Sections 630, 1144, and 1153 of, and to add Section 685 to, the Probate Code, relating to decedents' estates.

Referred to Committee on Judiciary.

**Senate Bill No. 1442:** By Senator Kraft—An act to add Section 11005.1 to the Revenue and Taxation Code, relating to the determination of population for purposes of the distribution of the Motor Vehicle License Fee Fund.

Referred to Committee on Transportation.

**Senate Bill No. 1443:** By Senator Kraft—An act to amend Sections 17316, 17317, and 17357 of the Revenue and Taxation Code, relating to the deduction of charitable gifts for personal income tax purposes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1444:** By Senator Kraft—An act to add Section 670.5 to the Streets and Highways Code, relating to display of the American Flag.

Referred to Committee on Transportation.

**Senate Bill No. 1445:** By Senator Kraft—An act to amend Sections 6446 and 6448 of the Streets and Highways Code, relating to the report and recordings of payments of coupons and penalties upon bonds.

Referred to Committee on Transportation.

**Senate Bill No. 1446:** By Senator Kraft—An act to amend Section 17.1 of the Welfare and Institutions Code, relating to the residence of minors.

Referred to Committee on Social Welfare.

**Senate Bill No. 1447:** By Senator Kraft—An act to add Section 142 to the Welfare and Institutions Code, relating to collection of overpayments from recipients.

Referred to Committee on Social Welfare.

**Senate Bill No. 1448:** By Senator Kraft—An act to add Section 203.7 to the Welfare and Institutions Code, relating to the obligation of each county to pay for the hospital treatment of its indigent residents.

Referred to Committee on Social Welfare.

**Senate Bill No. 1449:** By Senator Kraft—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Referred to Committee on Social Welfare.

**Senate Bill No. 1450:** By Senator Kraft—An act to amend Section 1508 of the Welfare and Institutions Code, relating to the support of needy children living with mother and stepfather.

Referred to Committee on Social Welfare.

**Senate Bill No. 1451:** By Senator Kraft—An act to amend Section 1520 of the Welfare and Institutions Code, relating to property qualifications for needy children.

Referred to Committee on Social Welfare.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 1452:** By Senator Kraft—An act to repeal Section 1552.4 and to add Section 1552.4 to the Welfare and Institutions Code with respect to responsibility of parents to support.

Referred to Committee on Social Welfare.

**Senate Bill No. 1453:** By Senator Kraft—An act to add Section 2181.03 to the Welfare and Institutions Code, relating to the liability of spouses of recipients.

Referred to Committee on Social Welfare.

**Senate Bill No. 1454:** By Senator Kraft—An act to amend Section 2507 of the Welfare and Institutions Code, relating to the destruction or disposition of case histories of recipients of indigent aid or relief.

Referred to Committee on Social Welfare.

**Senate Bill No. 1455:** By Senator Kraft—An act to amend Section 5175 of the Welfare and Institutions Code, relating to public guardians.

Referred to Committee on Social Welfare.

**Senate Bill No. 1456:** By Senator Kraft—An act to amend Section 9.5 of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925) and to amend Section 2 of Chapter 1205 of the Statutes of 1951, relating to the compensation of judges, officers, and attaches of the municipal courts.

Referred to Committee on Local Government.

**Senate Bill No. 1457:** By Senator Kraft—An act to amend Section 2 of Chapter 1451 of the Statutes of 1951, relating to the compensation of the judges, officers and attaches of the municipal court.

Referred to Committee on Local Government.

**Senate Bill No. 1458:** By Senator Kraft—An act to add Section 20.5 to the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949), relating to marshals of municipal courts in the County of San Diego.

Referred to Committee on Local Government.



**Senate Bill No. 1459:** By Senator Kraft—An act to amend Section 1 of Chapter 1550 of the Statutes of 1951, Section 1 of Chapter 1551 of the Statutes of 1951, and Section 1 of Chapter 1552 of the Statutes of 1951, relating to compensation of judges, officers and attaches of the municipal courts of San Diego County.

Referred to Committee on Local Government.

**Senate Bill No. 1460:** By Senator Kraft—An act conveying certain tidelands to the City of Carlsbad, in furtherance of navigation and commerce and the fisheries and for public recreational purposes and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Local Government.

**Senate Bill No. 1461:** By Senator Kraft—An act declaring a portion of the land conveyed to the City of Coronado by Chapter 49 of the Statutes of 1923, as amended, unavailable for navigation, commerce, and fisheries, and excluding such portion from use for navigation, commerce and fisheries, and granting such portion of said tidelands to the City of Coronado, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1462:** By Senator Kraft—An act relating to protection of quality of underground water, and making an appropriation.

Referred to Committee on Water Resources.

**Senate Bill No. 1463:** By Senator Kraft—An act to create a flood control district to be called San Diego County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers; and to repeal an act entitled "An act to create a flood control district to be called San Diego County Flood Control District; to provide for investigations by the district and other local public agencies furnishing, or having the legal power to furnish, flood control protection or water for beneficial use in any watershed, any part of which is within the County of San Diego, pertaining to flood protection and water service in any such watershed," approved July 14, 1945 (Chapter 1372, Statutes of 1945).

Referred to Committee on Water Resources.

**Senate Bill No. 1464:** By Senator Hoffman—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

**Senate Bill No. 1465:** By Senator Miller—An act to add Section 2831b to the Civil Code, providing for the appraisal of real property in actions in which the State of California is made a party under Section 2931a of the Civil Code and providing for limitations on the sale of such property.

Referred to Committee on Judiciary.

**Senate Bill No. 1466:** By Senator Miller—An act conveying certain tidelands and lands lying under inland navigable waters, to the City of Martinez, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1467:** By Senator Dorsey—An act to amend Sections 8100 and 8121.5 of the Streets and Highways Code, relating to separation of grade districts.

Referred to Committee on Local Government.

**Senate Bill No. 1468:** By Senator Breed—An act to amend Section 24 of the Alcoholic Beverage Control Act (Statutes of 1935, Chapter 330), and Section 24465 of the Business and Professions Code, relating to the taxation of distilled spirits, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1469:** By Senator Breed—An act to amend Section 23 of the Alcoholic Beverage Control Act (Statutes 1935, Chapter 330) and Section 24431 of the Business and Professions Code, relating to the taxation of beer and wine, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1470:** By Senator Breed—An act to add Part 13, comprising Sections 30001 to 30473, inclusive, to Division 2 of the Revenue and Taxation Code, relating to a state tax with respect to the sale and use or consumption of cigarettes and to make an appropriation for the administration thereof.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1471:** By Senator Breed—An act to amend Sections 19486 and 19597 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1472:** By Senator Desmond—An act to repeal Section 16047 of the Government Code, relating to undertaking for cost in actions against the State.

Referred to Committee on Judiciary.

**Senate Bill No. 1473:** By Senator Gibson—An act amending Section 737.2 of the Vehicle Code, relating to the bail schedule fixed by county magistrates.

Referred to Committee on Local Government.

**Senate Bill No. 1474:** By Senator Regan—An act to add Section 69103.5 to the Government Code, relating to the district courts of appeal.

Referred to Committee on Judiciary.

**Senate Bill No. 1475:** By Senator Regan—An act to add Section 5006.8 to the Public Resources Code, relating to the employment of a professionally trained forester by the State Park Commission.

Referred to Committee on Natural Resources.

**Senate Bill No. 1476:** By Senators Donnelly, Gibson, Tenney, and Parkman—An act to amend Sections 75, 76, and 83 of the Unemployment Insurance Act, relating to the Department of Employment.

Referred to Committee on Social Welfare.

**Senate Bill No. 1477:** By Senators Donnelly, Parkman, Gibson, and Tenney—An act to add Chapter 4 to Part 2, Division 2, Title 2 of the Government Code, to amend Section 9143, and to repeal Sections 13293, 13294, 13295, 13296, 13297, 13298, and 13299 of said code, relating to state fiscal affairs, creating the Legislative Audit Bureau, and the Joint Legislative Post Audit Committee, prescribing the duties thereof, and providing for the transfer of funds.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1478:** By Senators Donnelly, Parkman, Gibson, and Tenney—An act to add Section 504.1, and to amend Sections 506, 506.6, 5001, 5003, 5006, 5006.5, 5007, 5008, 5010, 5012, 5012.1, 5015, 5016, 5022, 5023, 5034, 5060, 5064, 5075, and 5076 and to repeal Sections 5004, 5011, 5035, 5050, and 5051 of the Public Resources Code, relating to the Department of Natural Resources.

Referred to Committee on Natural Resources.

**Senate Bill No. 1479:** By Senators Donnelly, Tenney, Gibson, and Parkman—An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1480:** By Senator Donnelly—An act to amend Sections 2020.001 and 2025.1 of the Welfare and Institutions Code, relating to an increase in aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1481:** By Senator Donnelly—An act to amend Sections 2011, 2160, and 2181 of, and to repeal Sections 2181.01 and 2224 of, the Welfare and Institutions Code, relating to the removal of relatives' responsibility requirement with respect to aged aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 1482:** By Senators Cunningham, Powers, Collier, Miller, Regan, McCarthy, and Gibson—An act to amend Section 6902.5 of the Labor Code, a section adopted by an initiative act, relating to safeguards on railroads, said amendment to take effect upon approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Labor.

**Senate Bill No. 1483:** By Senator Collier—An act to repeal Part 5 of Division 8 of the Harbors and Navigation Code, relating to recreational harbor districts.

Referred to Committee on Transportation.

**Senate Bill No. 1484:** By Senator Collier—An act to repeal Chapter 3 of Part 8 of Division 2 of the Labor Code, relating to public service districts.

Referred to Committee on Labor.

**Senate Bill No. 1485:** By Senator Collier—An act to repeal Chapter 6 of Division 2 of the Public Resources Code, relating to placer mining districts.

Referred to Committee on Local Government.

**Senate Bill No. 1486:** By Senator Collier—An act to repeal Chapter 1, of Part 1, of Division 8 of the Harbors and Navigation Code, relating to municipal port districts.

Referred to Committee on Local Government.

**Senate Bill No. 1487:** By Senators Busch, Tenney, O'Gara, Way, and Desmond—An act to amend Sections 2 and 4 of the Judges' Retirement Act (Chapter 770 of the Statutes of 1937), and to add Sections 1.8, 4.5, 5.1, 5.2, and 5.3 thereto, and to amend Sections 75032 and 75061 of, and to add Section 75033 to, the Government Code, and to add Article 3.5, comprising Sections 75070 to 75073, inclusive, to Chapter 11 of Title 8 thereof, relating to the retirement of judges in respect to the nature, amount, and manner of payment of benefits to and in respect to retired judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1488:** By Senator Busch—An act to add Section 146.1 to, and to amend Sections 148 and 149 of, the Civil Code, relating to disposition of joint tenancy property upon divorce or decree of separate maintenance and jurisdiction of the court.

Referred to Committee on Judiciary.



**Senate Bill No. 1489:** By Senator Busch—An act to add Section 682.1 to the Civil Code, relating to establishing the character of property acquired by several persons who are husband and wife.

Referred to Committee on Judiciary.

**Senate Bill No. 1490:** By Senator Dorsey—An act to amend Sections 9451 and 9452 of the Education Code, relating to special schools.

Referred to Committee on Education.

**Senate Bill No. 1491:** By Senator Dorsey—An act to amend Section 10975 of the Insurance Code, relating to fraternal benefit society providing benefits for accidental death or disability.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1492:** By Senators Busch, Regan, and O'Gara—An Act to amend Section 1714 of, and to add Section 1714.1 to, the Civil Code, relating to contributory negligence.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 18:** By Senator Sutton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 $\frac{1}{4}$  of Article XIII thereof, relating to the veterans' exemption.

Referred to Committee on Military and Veterans Affairs.

**Senate Constitutional Amendment No. 19:** By Senator Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII thereof, relating to the taxation of publicly owned property.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 20:** By Senator Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article XI of said Constitution, relating to annexation to a city of territory in another county.

Referred to Committee on Local Government.

**Senate Constitutional Amendment No. 21:** By Senators Tenney, Way, Weybret, Gibson, Hoffman, Murdy, Sutton, Williams, and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article I thereof, relating to the rights of men.

Referred to Committee on Judiciary.

**Senate Constitutional Amendment No. 22:** By Senator Regan—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4a of Article VI thereof, relating to district courts of appeal.

Referred to Committee on Governmental Efficiency.

**Senate Constitutional Amendment No. 23:** By Senators Breed, Tenney, and O'Gara—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII, relating to the exemption of vessels engaged in commerce from taxation.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 24:** By Senators Parkman, Hulse, Collier, McBride, Breed, Dorsey, Tenney, Gibson, Burns, Kraft, and Ward—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof, a new section to be numbered 1.9, relating to reimbursement by the State of counties, cities and counties, cities and districts for loss of revenue resulting from the exemption of real property from taxation.

Referred to Committee on Revenue and Taxation.

**Senate Concurrent Resolution No. 31:** By Senator Regan—Relative to fire protection districts.

Referred to Committee on Local Government.

**Senate Joint Resolution No. 13:** By Senators Regan, Sutton, Harold T. Johnson, Cunningham, and Ed C. Johnson—Relative to requesting an investigation by Congress of federal use of lands suitable for agriculture in California.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 944

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above bill ordered enrolled.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Concurrent Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

WILLIAMS, Chairman

Above reported resolution ordered to third reading.

#### ADJOURNMENT

At 5.10 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Saturday, January 17, 1953, out of respect to the memory of the late Dr. George Henry Heeke.

JOHN F. LEA, Minute Clerk

# CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

THIRTEENTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Saturday, January 17, 1953

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—38.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Williams, on motion of Senator Powers.

Senator Hatfield, on motion of Senator Powers, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Murdy and Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Loren E. Blakeley of Santa Ana.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Margaret Bourke-White, Life Magazine photographer just back from Korea.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Taylor and Russell Taylor of Mill Valley.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas H. Durfee and Vernon E. Rutherford of Ventura.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carlos Duarte of Bogota, Colombia and Silvio Vega of Naysaya, Nicaragua, students at Sacramento College.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Victor Steffan and Mr. and Mrs. Kai Nord of San Carlos.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 122

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 25**—Relative to the feeding of deer.

Referred to Committee on Fish and Game.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Brown:

##### Senate Resolution No. 43

*Resolved*, That the Secretary of the Senate be and he is hereby ordered and directed to prepare and distribute, during the constitutional recess and subsequent thereto, for the use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook similar to such publications of previous sessions, as provided by Section 9740 of the Government Code, same to contain list of members and officers of both houses of the Legislature, lists of committees and rules of both houses and Joint Rules, together with indexes to the same; also to prepare for the use of Members of the Legislature a Semi-Final Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess.

Resolution read, and on a motion of Senator Brown, adopted.

By Senator Brown:

##### Senate Resolution No. 44

WHEREAS, The Legislature of the State of California assembled in the 1953 General Session will be at recess from January 17, 1953, to February 24, 1953; and

WHEREAS, It will be necessary for the Secretary of the Senate during such period of recess to conduct the business of the Senate and perform the duties provided by law, the Standing Rules of the Senate and resolutions adopted by the Senate and to employ certain necessary assistants incident thereto; therefore, be it



*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of officers and employees who render services to the Senate as certified weekly by the Secretary and approved by the Chairman of the Committee on Rules or the authorized representative of the Committee on Rules, from the fund set aside for the pay of officers and employees of the Senate at the per diem provided by resolution of the Senate or as certified by the Secretary, and the Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—23.

NOES—None.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
January 17, 1953

*Hon. Harold J. Powers*

*President pro Tempore of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

DEAR SENATOR POWERS: Please accept my resignation as History Clerk of the Senate to take effect at the close of today's session, January 17, 1953.

My present position as Executive Secretary of the Tri-County Planning Commission requires that I devote my full time.

May I take this opportunity to thank you, and the other members of the Senate, for the many courtesies extended to me during the 10 years that I have been privileged to serve as History Clerk.

Respectfully yours,

GEORGE A. SPAULDING

#### RESOLUTIONS

The following resolutions were offered:

By Senator Brown:

##### Senate Resolution No. 45

Relative to appointment of James Heaverside as History Clerk

*Resolved*, That the resignation of George Spaulding, History Clerk of the Senate, be accepted with full recognition of his competent service, and that James Heaverside, heretofore appointed to the office of Assistant History Clerk of the Senate at a per diem of eleven dollars (\$11), be and he is hereby appointed to the office of History Clerk at a per diem of thirteen dollars and twenty cents (\$13.20), payable weekly, seven days per week, as certified by the Secretary of Senate, and the Controller is directed to draw his warrants for the said amounts and the Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, and Way—22.

NOES—None.

By Senator Donnelly:

##### Senate Resolution No. 46

Relative to the continuance of the Senate Interim Committee on Governmental Organization

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Interim Committee on Governmental Organization created by Senate Resolution No. 151 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session.

Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

### Request for Unanimous Consent

Senator Donnelly asked for, and was granted, unanimous consent to take up Senate Resolution No. 46, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 46

### Senate Resolution No. 46

Relative to the continuance of the Senate Interim Committee on Governmental Organization

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Governmental Organization created by Senate Resolution No. 151 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Cunningham, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Thompson, Way, and Weybret—22.

NOES—None.

By Senator O'Gara :

**Senate Resolution No. 47**

Relative to the International Photographic Exposition

WHEREAS, The International Photographic Exposition is to be held in San Francisco June 30 through July 5, 1953, under the sponsorship of the San Francisco-Oakland Press Photographers Association, and

WHEREAS, It will be the first time that a photographic exposition of this magnitude is staged in the United States, and

WHEREAS, The International Photographic Exposition will graphically present the outstanding pictorial achievements of American press photographers along with the works of foreign press photographers as well as the best examples of the craftsmanship of professional and amateur photographers in the United States and abroad submitted for display and competition for international awards, and

WHEREAS, The Exposition will be honored with photographic displays prepared especially for the event by tourism and other bureaus of foreign governments, and

WHEREAS, Countless visitors from throughout the United States and overseas will be attracted to California by the Exposition ; now therefore, be it

*Resolved by the Senate of the State of California*, That the members of the Legislature commend the American press photographers in general, and the San Francisco-Oakland Press Photographers Association in particular, for their part in staging as noteworthy an event as the International Photographic Exposition, and be it further

*Resolved*, That it is respectfully suggested that the Governor proclaim the week of June 30 through July 5, 1953, as "International Photography Week" in California and that in so doing the Governor extend an invitation to all Americans and people abroad to visit California at that time, and be it further

*Resolved*, That a copy of this resolution, suitably engrossed, be sent to Bob Campbell, President of the San Francisco-Oakland Press Photographers Association.

Resolution read, and adopted on a motion of Senator O'Gara.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 16, 1953

*To the Senate of the State of California :*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto :

BYRON H. ATKINSON, a resident of Los Angeles ; Assistant Coordinator of Veterans Affairs, University of California at Los Angeles ; Member of the State Board of Education since June 18, 1945 ;

to the State Board of Education, vice self, for the term prescribed by law, ending January 15, 1957.

MAX J. OSSLO, a resident of San Diego ; President, Western Federation of Butchers of California ; Vice President of the California State Federation of Labor ; Member of the State Board of Education since April 2, 1951 ;

to the State Board of Education, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT : The Committee on Rules, to which was referred :

Assembly Joint Resolution No. 6

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and be adopted as amended.

Committee membership 5 ; committee vote : Ayes 4 ; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 6, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6**

**Assembly Joint Resolution No. 6**—Relative to the production of narcotics within the United States of Mexico and the transportation and flow thereof into the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Thompson, and Way—21.

**NOES**—None.

**Motion to Amend**

Senator Powers moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 3 of the title of the printed measure, after the word "Mexico", insert "and other countries".

Amendment read, and adopted.

Resolution ordered printed, and transmitted to the Assembly.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, JANUARY 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 38

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Resolution No. 38, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE RESOLUTION NO. 38**

**Senate Resolution No. 38**—Relative to purchasing Attorney General's Opinions.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

In line 5 of the printed resolution, strike out "1-18", and insert "1-20".

**Amendment No. 2**

In line 5 of the printed resolution, strike out "'Five year", and insert "'The".

Amendments read, and adopted.

Resolution ordered amended.



**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Resolution No. 38, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 38, AS AMENDED****Senate Resolution No. 38**

Relative to purchasing Attorney General's Opinions

*Resolved by the Senate of the State of California,* That the Secretary of the Senate be, and he is hereby authorized and directed to purchase for the use of the Senate, the following: 39 subscriptions to the "Opinions of the Attorney General of California" for 1953 and 1954; 4 sets of back volumes of the "Opinions," each set comprising Volumes 1-20, inclusive, and 38 copies of "The Consolidated Index" to the "Opinions."

Resolution read, and on a motion of Senator Powers, adopted.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 36

Senate Resolution No. 39

Senate Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to second reading.

**Request for Unanimous Consent**

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Resolution No. 36, at this time, for adoption.

**CONSIDERATION OF SENATE RESOLUTION NO. 36****Senate Resolution No. 36**

Relative to the continuance of the Senate Investigating Committee on Education and Philanthropic Foundations

*Resolved by the Senate of the State of California,* As follows:

1. The Senate Investigating Committee on Education and Philanthropic Foundations created by Senate Resolution No. 183 of the 1951 session is continued as a Senate Committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Mayo, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Thompson, and Way—21.

NOES—None.

**Request for Unanimous Consent**

Senator Abshire asked for, and was granted, unanimous consent to take up Senate Resolution No. 33, at this time, for adoption.

**CONSIDERATION OF SENATE RESOLUTION NO. 33****Senate Resolution No. 33**

Relative to the continuance of the Senate Interim Committee on Administrative Regulations

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Administrative Regulations created by Senate Resolution No. 180 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Mayo, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, and Weybret—22.

NOES—None.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, for adoption.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16**

**Assembly Concurrent Resolution No. 16**—Relative to the death of Chaim Weizmann.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Mayo, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered :

**Senate Concurrent Resolution No. 32:** By Senator Thompson—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32**

**Senate Concurrent Resolution No. 32**—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Mayo, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**CONSIDERATION OF DAILY FILE****SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1406**—An act making an appropriation for the repair and restoration of property damaged by storms, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance :

**Amendment No. 1**

On page 1, line 10, of the printed bill as amended in the Assembly January 15, 1953, strike out "one-fortieth", and insert "one-twentieth".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Tenney :

*Resolved*, That Assembly Bill No. 1406 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 10.50 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 4, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4**

**Assembly Joint Resolution No. 4**—Relative to requesting the Fish and Wildlife Service of the United States Department of the Interior to establish a special season for the taking of migratory game birds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—26.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 10.53 a.m., on motion of Senator Tenney, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the resolution suspending the Constitution to consider Assembly Bill No. 1406 was adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—29.

**NOES**—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 1406**

**Assembly Bill No. 1406**—An act making an appropriation for the repair and restoration of property damaged by storms, declaring the urgency thereof, to take effect immediately.

Bill read third time.



**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1406:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 15, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Assembly Bill No. 1406, "An act making an appropriation for the repair and restoration of property damaged by storms, declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure advances funds to the City of Redondo Beach for the construction of protective works to prevent further damage from the ocean.

I therefore recommend consideration of Assembly Bill No. 1406 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried.

Time, 11 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 231, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 231**

**Assembly Bill No. 231**—An act to add Section 7.5 to Chapter 1420 of the Statutes of 1951, to add Section 2 to Chapter 1736 of the Statutes of 1951, and to add Section 2 to Chapter 1735 of the Statutes of 1951, relating to the compensation of attaches of superseded courts in Los Angeles County and Orange County, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
JOINT RESOLUTION NO. 11**

Senator Desmond moved that Senate Joint Resolution No. 11 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and be re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (RESUMED)**

**Senate Joint Resolution No. 11**—Relative to petitioning Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 11, of the printed measure as amended in Senate January 16, 1953, strike out "the".

**Amendment No. 2**

On page 3, lines 11 and 12, of said measure, strike out "this State", and insert "California".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Revenue and Taxation.

**RESOLUTIONS**

The following resolution was offered:

By Senators Brown, Cunningham, and Regan:

**Senate Resolution No. 48**

Relative to the death of Spencer W. Lowden

**WHEREAS**, The State of California has lost one of its most respected and constructive citizens in the person of Spencer W. Lowden, who departed from this life on January 13, 1953, and

**WHEREAS**, Spencer W. Lowden was born at Lowden's Ranch, Trinity County, in 1888, the grandson of California pioneers who crossed the plains from Illinois to Sacramento in 1848, and

**WHEREAS**, Spencer W. Lowden was a student at St. Mary's College and Vander Naillen's School of Engineering in Oakland, and subsequently engaged in engineering work on roads and railroads in Northern California, entering the service of the California Highway Commission April 3, 1912, at Redding as a rodman, from which position he rose to the rank of District Maintenance Engineer of District II, with headquarters at Redding; on April 8, 1933, becoming District Engineer with headquarters

at Bishop, Inyo County, and for the next 17 years continued to maintain California highways in Inyo, Mono and Kern Counties; and on October 1, became District Engineer of District VIII, San Bernardino County, where he served until his death, and

WHEREAS, Spencer W. Lowden worked cordially and successfully with the people of the districts he served, and was widely known as a serious minded, purposeful and conscientious citizen, being highly esteemed by all who knew him, and being a respected member of the Elks, the Masons and the Rotary Club; now, therefore, be it

*Resolved*, That the Senate of the State of California regrets the passing of this fine native son of the State of California, and desires by this resolution to convey its sympathy to the bereaved members of his family, and be it further

*Resolved*, That the Secretary of the Senate be, and he is hereby requested to have suitably engrossed copies of this resolution prepared and to present the same to the bereaved members of the family of the late Spencer W. Lowden.

Resolution read, and unanimously adopted on a motion of Senator Brown.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 29

And reports the same correctly engrossed.

POWERS, Chairman

### Request for Unanimous Consent

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 29

**Senate Concurrent Resolution No. 29:** By Senator Dilworth—Relative to the case of the United States v. Fallbrook Public Utility District, et al.

Resolution read.

### MOTION TO POSTPONE

Senator O'Gara moved that further consideration of Senate Concurrent Resolution No. 29 be postponed until this afternoon.

The motion lost.

The roll was called, and the resolution adopted by the following vote:

AYES:—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—28.

NOES:—None.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 40**—An act making an appropriation to the Department of Public Works, relating to the repair of the stream bank of

Putah Creek and the protection of local sewage disposal plant and public roadways and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill was read, and referred to the Committee on Finance.

#### LETTER OF TRANSMITTAL

SACRAMENTO, January 17, 1953

*Hon. Goodwin J. Knight, President  
and Members of the Senate*

GENTLEMEN: Pursuant to Senate Resolution 116 of the 1951 General Session, your Interim Committee on Tidelands transmits herewith its report on California's contest with the Federal Government over ownership and control of the State's submerged lands and resources—commonly referred to as tidelands.

Probably no other issue of such great importance has been more misunderstood by the public than the tidelands issue. This has been due somewhat to the complexity of the issue but mainly it has resulted from the deliberate campaign of false propaganda that has emanated unceasingly from those forces striving to seize these lands and resources from California, and other states, and to give permanence in the law to the strange and dangerous doctrine of "paramount federal rights."

Oil has been smeared in the eyes of the American people to the extent that many believe this is just an oil fight by greedy interests which have no regard for the public welfare. Certainly, oil is involved. Its discovery in fabulous quantities in California's submerged lands touched off the federal attempts to seize those lands.

But the real issues far transcend in importance the dollar value of tidelands oil. At stake are the ownership of all natural resources throughout the Nation—and the constitutional sovereignty and rights of each of the 48 states and their citizens. Freedom's future hangs in the balance.

In this report your committee has attempted to portray the real dangers threatening America in this federal "paramount rights" doctrine by tracing its rapid and frightening growth. Action taken by California and the other states to combat it are described and recommendations for continuing action until state victory is achieved are listed.

Respectfully submitted,

Senate Interim Committee on Tidelands, Senate Resolution 116

ARTHUR H. BREED, JR., Chairman  
JAMES J. MCBRIDE, Vice Chairman  
EDWIN J. REGAN  
JACK B. TENNEY  
A. W. WAY

#### MOTION TO PRINT REPORT

Senator Breed moved that the letter of transmittal be printed in the Journal, and the report of the Senate Interim Committee on Tidelands be printed in the Appendix to the Journal, and that 5,000 additional copies be printed for distribution.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953.

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 5—Relative to the continuance of joint committees;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1953, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman



**Request for Unanimous Consent**

Senator Hoffman asked for, and was granted, unanimous consent to take up Senate Resolution No. 18, at this time, for consideration of committee amendments.

**CONSIDERATION OF SENATE RESOLUTION NO. 18**

**Senate Resolution No. 18**—Relative to the continuance of the Senate Interim Committee on Fairs and Expositions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Rules:

**Amendment No. 1**

On page 2, line 2, of the printed measure, strike out "one thousand dollars (\$1,000)", and insert "five hundred dollars (\$500.00)".

Amendment read, and adopted.

Resolution read, and ordered amended.

**Request for Unanimous Consent**

Senator Hoffman asked for, and was granted, unanimous consent to take up Senate Resolution No. 18, as amended, at this time, for consideration.

**CONSIDERATION OF SENATE RESOLUTION NO. 18, AS AMENDED****Senate Resolution No. 18**

Relative to the continuance of the Senate Interim Committee on Fairs and Expositions

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Fairs and Expositions created by Senate Resolution 162 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to any money heretofore made available to the Committee the sum of five hundred dollars (\$500) or so much thereof as may be necessary is hereby made available from the contingent fund of the Senate for the expenses of the Committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the Committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

**NOES**—None.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bill No. 1124, at this time, for final passage.

## CONSIDERATION OF ASSEMBLY BILL NO. 1124

**Assembly Bill No. 1124**—An act to add Section 35855 to the Water Code and to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Powers.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, and Way—30.  
**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—29.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH

At 11.44 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

## REQUEST FOR UNANIMOUS CONSENT

Senator Hulse asked for, and was granted, unanimous consent to have the following opinion of the Attorney General printed in the Journal:

OPINION OF ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY GENERAL  
State of California

**EDMUND G. BROWN**  
Attorney General

OPINION  
of

**EDMUND G. BROWN**, Attorney General  
W. R. Augustine,  
Deputy Attorney General

No. 53, 7  
January 15, 1953

HON. GEORGE J. HATHFIELD, Senator from the Twenty-fourth Senatorial District, has asked to be advised whether the Director of Agriculture, through the Bureau of Milk Control of the Department of Agriculture has authority to establish and enforce minimum prices to producers for fluid milk which is received at a distributor's plant and separated into cream and skim milk at the plant and shipped to distribution plants in other marketing areas and whether legislation is necessary to close the "loophole" if one exists.

Our conclusion may be summarized as follows:

The authority is doubtful and legislation should be enacted to clarify the situation.

#### Analysis

It appears that in 1951, Senate Resolutions 110, 130 and 147 were adopted relative to the pricing of skim milk and cream. The last resolution recommended that the Director of Agriculture contract with the Giannini Foundation of the University of California to make a study of the problem involved. Pursuant to that resolution, such study was made and published as a bulletin of the California Agricultural Experiment Station (Bulletin 732) under the title "Pricing Intermarket Transfers of Bulk Grade A Cream and Skim Milk".

The Senator has directed our attention to the following statement which appears on page 7 of that Bulletin.

"Prices to be paid producers, by use classification, and rules and regulations are set forth in the Stabilization and Marketing Plan drawn up for each marketing area. Each of these plans contains the statement that the prices provided for relate to payments to be made by 'each distributor within this State, who reserves or otherwise handles fluid milk for distribution within the specified marketing area \* \* \*.' This has been interpreted by the bureau and by the industry to mean that control over prices provided by the milk control laws extends only to those supplies received as whole milk and disposed of within the various classifications in a single marketing area. Under such interpretation, whole milk received by a plant and separated into cream and skim milk which are shipped to plants in other marketing areas does not come under Bureau of Milk Control jurisdiction. At the present time, therefore, these intermarket shipments of Grade A cream and skim milk are the only phases of the market milk industry that are not subject to rigid pricing regulations."

The Senator has asked whether the interpretation referred to in the above quotation is correct and whether any legislation is necessary to close the "loophole" if such "loophole" exists.

It has been suggested that the loophole, if any, exists in the marketing plans rather than in the law and that no amendment to the law appears necessary but that perhaps some or all of the marketing plans should be amended.

We are not prepared to wholly concur in those views. Section 735.3, subdivision (b) of the Agricultural Code defines "fluid milk" and classifies it into classes 1, 2 and 3. Class 1 is defined as follows:

"Any fluid milk or the cream therefrom that is supplied to consumers as market milk or market cream or any combination of market milk and market cream, or any market milk which is not packaged in hermetically-sealed containers, or any other dairy product in which the use of market milk is required by the provisions of this code, or any fluid milk or the cream therefrom which is used in standardizing market milk."

That classification would include cream and skim produced from market milk. After setting forth the classification above noted, the section (735.3(b)) provides as follows:

"In the establishment of the minimum prices for one or more of the respective classes separate prices may be established for the milk fat contained in such milk or the skim milk contained in such milk or a combination of the milk fat and the skim milk contained in such milk.

"In designating and prescribing or providing methods for designating and prescribing minimum price to be paid by distributors to producers for Classes 1, 2 or 3 fluid milk, the director may take into consideration the market price of all milk which may be used for the same purposes set forth in such respective classes."

The next to the last paragraph above quoted would appear to specifically contemplate the establishment of prices for the respective classes of fluid milk on the basis of the milk fat contained in the milk or the skim milk or a combination of both.

Again, section 736.3, subdivision (b) provides that a stabilization and marketing plan *shall* contain "provisions whereby the director designates and prescribes or provides methods for designating and prescribing minimum prices to be paid by distributors for fluid milk in one or more of the various classes; . . . ."

And subdivision (c) of said section 736.3 provides that as an optional provision any stabilization and marketing plan may contain "Provisions whereby the director may provide methods for the establishment of minimum prices for fluid milk or fluid milk *for fluid cream* received within a marketing area regardless of whether such fluid milk or fluid milk for fluid cream is subsequently sold or distributed within or without such marketing area or within or without the jurisdiction of the State of California".

If we could stop with these provisions, we might agree that the code gives the Bureau authority to fix prices for inter-area bulk shipments of cream and skim milk. However, we think consideration must be given to other sections of the code. Immediately following the definition of fluid milk, subsection (c) of Section 735.3 defines "fluid cream". If fluid cream falls within the definition of fluid milk, a separate definition of fluid cream would seem to be superfluous. However, when we consider subsequent sections, the purpose of defining fluid cream as such becomes clearer. The code appears to us to clearly contemplate that if prices of cream are to be fixed a stabilization and marketing plan for that purpose must be formulated, though not necessarily a plan separate and apart from a fluid milk plan. Thus, section 735.4 in subdivision (4) gives the Director authority to prescribe minimum prices to be paid by distributors in accordance with a stabilization plan *for fluid milk*.

Subdivision 5 contains similar authority to prescribe prices to be paid by distributors for fluid *cream* "in accordance with a stabilization and marketing plan".



When we look for the procedure whereby a fluid cream plan is to be formulated, we find that the second paragraph of section 736.1 provides as follows :

“The director shall, prior to the formulation of a stabilization and marketing plan for fluid cream for any marketing area, conduct a public hearing in said area for the purpose of determining whether or not producers whose major interest in the fluid cream business is in the production of fluid milk for fluid cream for said marketing area and who represent not less than 65 per cent of the total number of producers whose major interest in the fluid cream business is in the production of fluid milk for fluid cream for said marketing area and who produce not less than 65 per cent of the total volume of fluid milk for fluid cream produced for said marketing area by all such producers, desire that a stabilization and marketing plan for fluid cream be formulated for said area; . . . .”

This section clearly requires that before any cream plan may be formulated a hearing must be held and the procedures there prescribed must be followed.

After a stabilization and marketing plan for fluid cream has been formulated then, under section 736.11 of the code minimum wholesale and minimum retail prices would have to be prescribed after investigation and public hearings as provided in section 736.12.

The foregoing takes into consideration only the fixing of prices for cream. The code contains no provision for a stabilization and marketing plan whereby prices for skim milk could be fixed, though skim milk could perhaps be priced under a milk marketing plan.

We are advised that ever since the Act has been in effect, the Bureau of Milk Control has construed the statute as not conferring authority upon it to fix minimum prices to producers for cream which is separated from fluid milk in one area and then moved in bulk form as cream to another area except where it is moved into an area where there is a cream plan. This construction has been followed for many years and has been concurred in by the industry as a whole. Under well known principles a contemporaneous construction by the officers upon whom was imposed the duty of executing the statute is entitled to great weight and should not be overturned unless clearly erroneous.

*Riley v. Forbes*, 193 Cal. 745,  
and cases there cited.

In view of the provisions above mentioned relating to stabilization and marketing plans for cream and other provisions relating to the pricing of cream, we are not prepared to say that the construction and policy thus adopted was without legal justification.

If a change is desired, it would seem to us to be obvious that legislation to accomplish that result would be necessary.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 1493:** By Senator Busch—An act to amend Section 4805 of the Labor Code, relating to employees' disability.

Referred to Committee on Judiciary.

**Senate Bill No. 1494:** By Senator Busch—An act to amend Section 3207 of the Labor Code, relating to compensation of injured employees.

Referred to Committee on Judiciary.

**Senate Bill No. 1495:** By Senators Busch, Tenney, O'Gara and Way—An act to amend Sections 2 and 4 of the Judges' Retirement Act (Chapter 770 of the Statutes of 1937), and to add Sections 1.8 and 4.1 thereto, relating to the retirement of judges in respect to the nature, amount and manner of payment of benefits to and in respect to retired judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1496:** By Senator Busch—An act to amend Section 4855 of the Labor Code, relating to employees' disability.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1497:** By Senator Thompson—An act to add Section 2 to Chapter 1705 of the Statutes of 1951, relating to the compensation of attaches of superseded courts in the judicial district embracing the cities of Palo Alto and Mountain View, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Bill No. 1498:** By Senators Hatfield and Powers—An act to amend Section 16329 of the Business and Professions Code, relating to the Itinerant Merchants Act.

Referred to Committee on Business and Professions.

**Senate Bill No. 1499:** By Senator Ed. C. Johnson—An act to amend Sections 311 and 332 of the Vehicle Code, relating to the cancellation, suspension, or revocation of operators' or chauffeurs' licenses and providing for an additional period of suspension where person drives after refusal, suspension or revocation of license.

Referred to Committee on Transportation.

**Senate Bill No. 1500:** By Senator Ed. C. Johnson—An act to amend Section 301 of the Vehicle Code, relating to suspension or revocation of drivers licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1501:** By Senator Mayo—An act to add Section 18847 of the Insurance Code, providing for advance deposits for policies in the State Compensation Insurance Fund, and for cancellation of such policies.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1502:** By Senator Mayo—An act to amend Section 11821 of the Insurance Code, relating to the compensation insurance rates for each class of business insured by the State Compensation Insurance Fund.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1503:** By Senator Powers—An act to amend Section 342.2 of the Agricultural Code, relating to marks and brands.

Referred to Committee on Agriculture.

**Senate Bill No. 1504:** By Senator Harold T. Johnson—An act to amend Section 7702 of the Education Code, relating to the State Allocation Board.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1505:** By Senator Harold T. Johnson—An act to amend Section 374c of the Penal Code, relating to shooting near public roads and highways.

Referred to Committee on Judiciary.

**Senate Bill No. 1506:** By Senator Dilworth—An act to add Section 18110 to the Health and Safety Code, relating to housing.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1507:** By Senator Dilworth—An act to amend Section 18412 of the Health and Safety Code, relating to auto courts and resorts.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1508:** By Senator Dilworth—An act to add Section 1256 to the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1509:** By Senator Tenney—An act creating the office of Deputy State Controller, who shall be Co-ordinator and Supervisor of Municipal and Justices' Courts in the State of California, and providing for his duties, powers and compensation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1510:** By Senator Tenney—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476 and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle or motor vehicle officer escorts and the use of red lights.

Referred to Committee on Transportation.

**Senate Bill No. 1511:** By Senator Erhart—An act to amend Section 428 of the Education Code, relating to the salary and qualifications of the county superintendent of schools of counties of the twenty-eighth class.

Referred to Committee on Local Government.

**Senate Bill No. 1512:** By Senators Berry, Way, Regan, Busch, and Mayo—An act to add Section 705.7 to the Vehicle Code, relating to logging trucks.

Referred to Committee on Transportation.

**Senate Bill No. 1513:** By Senators Berry, Way, Regan, and Mayo—An act to add Section 705.3 to the Vehicle Code, relating to logging trucks.

Referred to Committee on Transportation.

**Senate Bill No. 1514:** By Senators Berry, Way, Regan, Busch, and Mayo—An act to add Section 710.5 to the Vehicle Code, relating to transporting on highways loads in excess of maximum weight limits.

Referred to Committee on Transportation.

**Senate Bill No. 1515:** By Senator Berry—An act to add Section 308.1 to the Vehicle Code, relating to cancellation of drivers licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1516:** By Senators Donnelly and Dilworth—An act to add Article 3, comprising Section 24641, to Chapter 6, Division 12 of the Education Code, relating to courses in sex education in the public schools.

Referred to Committee on Education.

**Senate Bill No. 1517:** By Senator Thompson—An act relating to flood control work in Santa Clara and San Benito Counties.

Referred to Committee on Water Resources.

**Senate Bill No. 1518:** By Senator Brown—An act to add Section 707.5 to the Vehicle Code, relating to weight limits of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1519:** By Senator McCarthy—An act to amend Sections 11556 and 11558 of the Government Code, relating to the salaries of state officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1520:** By Senator McCarthy—An act providing for the constitution of the Municipal Court in the district known and designated as the Central Judicial District of Marin County and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1521:** By Senator Sutton—An act to add Section 1463 to the Probate Code, relating to incompetency proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 1522:** By Senator Sutton—An act to add Section 10209 to the Corporations Code, relating to charitable corporations.

Referred to Committee on Judiciary.

**Senate Bill No. 1523:** By Senator O'Gara—An act to prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit the sales of cigarettes below cost with intent to injure competitors



or for the purpose of using the same as a loss leader or destroy or substantially lessen competition; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the State Board of Equalization and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; to authorize the State Board of Equalization to adopt and enforce unfair trade practice regulations and rules; to provide remedies and impose penalties for violations of this act.

Referred to Committee on Business and Professions.

**Senate Bill No. 1524:** By Senator O'Gara—An act to amend Section 3078 of the Labor Code, relating to apprenticeship agreements: Required contents and statements.

Referred to Committee on Labor.

**Senate Bill No. 1525:** By Senator McCarthy—An act to amend Section 1384.6 of the Fish and Game Code, relating to imported game birds.

Referred to Committee on Fish and Game.

**Senate Bill No. 1526:** By Senator McCarthy—An act to amend Section 73771 of the Government Code, relating to the number of judges of the Municipal Court in the Central Judicial District of Marin County, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Local Government.

**Senate Bill No. 1527:** By Senators Ed. C. Johnson, Sutton, and Byrne—An act to add Section 316.5 to the Agricultural Code, relating to inspection of vehicles used in transportation of meat.

Referred to Committee on Agriculture.

**Senate Bill No. 1528:** By Senator Ed. C. Johnson—An act to add Section 25691.5 to the Government Code, relating to application by counties for unappropriated water.

Referred to Committee on Water Resources.

**Senate Bill No. 1529:** By Senator Grunsky—An act to add Chapter 1c to Division 5 of the Agricultural Code, relating to cauliflower and broccoli for processing.

Referred to Committee on Agriculture.

**Senate Bill No. 1530:** By Senator Grunsky—An act to amend Sections 4121 and 4122 of the Education Code, relating to the election of members of junior college boards.

Referred to Committee on Elections.

**Senate Bill No. 1531:** By Senator Coombs—An act to amend Section 7 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to the Napa County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1532:** By Senator O'Gara—An act to amend Section 2833 of the Elections Code, relating to county central committees in cities and counties.

Referred to Committee on Elections.

**Senate Bill No. 1533:** By Senator O'Gara—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, Chapter 330 of the Statutes of 1935, and to amend Sections 24073 and 24074 of the Business and Professions Code, relating to the transfer of retail licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1534:** By Senator Thompson—An act to create a fund for the relocation of highways and the facilities of public utilities, and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1535:** By Senators Donnelly, Parkman, Tenney, and Gibson—An act to repeal Part 7 of Division 3 of Title 2 of the Government Code and to add Part 7 to Division 3 of Title 2 of the Government Code, relating to the investment, or reinvestment of all state funds, and the purchase, sale, or exchange of any investments or securities of or for any funds of accounts under the control of the State or of any of its agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1536:** By Senator Desmond—An act to amend Sections 52.6, 151, 152, 153, 200, 202, 203, 204, 205, 206.1, 207, 208, 250, 251, 252, 300, 303, 304, 305, 307, 403, and 450 and the Titles to Article 10, Part 2, Part 3, and Part 4 of the California Unemployment Insurance Act (Statutes of 1935, Chapter 352), relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1537:** By Senator Desmond—An act to amend Section 309 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1538:** By Senators Desmond, Gibson, and Grunsky—An act to amend Section 7.2 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1539:** By Senator Tenney—An act making an appropriation for an underpass at Malibu Canyon Road on Pacific Coast Highway.

Referred to Committee on Transportation.

**Senate Bill No. 1540:** By Senator Tenney—An act to add Section 20017.2 to the Government Code, relating to the State Employees' Retirement System in respect to the classification, status, and rights of field maintenance employees of the Division of Highways, Department of Public Works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1541:** By Senators O'Gara—An act to amend Section 6 of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to municipal courts.

Referred to Committee on Local Government.

**Senate Bill No. 1542:** By Senators Sutton and Mayo—An act to add Section 1253.5 to the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1543:** By Senators Sutton and Mayo—An act to amend Section 11460 of the Water Code, relating to the Central Valley Project.

Referred to Committee on Water Resources.

**Senate Bill No. 1544:** By Senator Gibson—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Referred to Committee on Finance.

**Senate Bill No. 1545:** By Senator Erhart—An act to amend Section 13011 of the Water Code, relating to water pollution.

Referred to Committee on Water Resources.

**Senate Bill No. 1546:** By Senator Parkman—An act to add Section 873 to the Civil Code, relating to gifts to social or charitable organizations.

Referred to Committee on Judiciary.

**Senate Bill No. 1547:** By Senator Parkman—An act to add Section 872 to the Civil Code, relating to social and fraternal corporations.

Referred to Committee on Judiciary.

**Senate Bill No. 1548:** By Senator Parkman—An act to add Section 874 to the Civil Code, relating to social and fraternal corporations.

Referred to Committee on Judiciary.

**Senate Bill No. 1549:** By Senator O'Gara—An act to amend Section 6a of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1550:** By Senator O'Gara—An act to amend Section 6b of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1551:** By Senator O'Gara—An act to amend Section 6c of the Municipal Court Act of 1925 (Chapter 358 of the Statutes of 1925), relating to municipal courts.

Referred to Committee on Judiciary.

**Senate Bill No. 1552:** By Senator Desmond—An act to add Chapter 9 to Part 1, Division 2, Title 5, of the Government Code, relating to meetings of legislative bodies of local agencies.

Referred to Committee on Local Government.

**Senate Bill No. 1553:** By Senator Desmond—An act to amend Section 17 of the American River Flood Control District Act (Chapter 808 of the Statutes of 1927), relating to the American River Flood Control District.

Referred to Committee on Water Resources.

**Senate Bill No. 1554:** By Senator Desmond—An act to amend Section 61.2 of the Alcoholic Beverage Control Act, relating to documentary evidence of majority.

Referred to Committee on Judiciary.

**Senate Bill No. 1555:** By Senator Desmond—An act to add Section 119.5 to the Labor Code, relating to the employees of the Industrial Accident Commission.

Referred to Committee on Labor.

**Senate Bill No. 1556:** By Senator Desmond—An act making an appropriation for expenditure for dedication ceremonies at Sacramento State College.

Referred to Committee on Finance.

**Senate Bill No. 1557:** By Senator Desmond—An act making an appropriation for construction, improvements, and equipment of Sacramento State College.

Referred to Committee on Finance.

**Senate Bill No. 1558:** By Senator Collier—An act to amend Section 9651 of, and to repeal Sections 9654, 9655, and 9656 of the Revenue and Taxation Code, relating to the rate of the motor vehicle transportation license tax, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1559:** By Senator Cunningham—An act to add Section 226c to the Civil Code, relating to adoption proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 1560:** By Senator Cunningham—An act to amend Section 226m of the Civil Code, relating to adoption proceedings.

Referred to Committee on Judiciary.

**Senate Bill No. 1561:** By Senator Cunningham—An act to amend Section 1088 of the Penal Code, relating to peremptory challenges to jurors.

Referred to Committee on Judiciary.

**Senate Bill No. 1562:** By Senator Cunningham—An act relating to airports, to empower municipalities and other political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise



regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide for the enforcement of any ordinance or regulation made under the authority conferred herein.

Referred to Committee on Local Government.

**Senate Bill No. 1563:** By Senator Cunningham—An act to amend Section 19624 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation of the money in said fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1564:** By Senator Desmond—An act to repeal Section 31553.5 of, and to add Section 31553.5 to, the Government Code, relating to the retirement of county employees.

Referred to Committee on Local Government.

**Senate Bill No. 1565:** By Senators Desmond, Sutton, Byrne, Harold T. Johnson, Regan, Ed. C. Johnson, Gibson, Coombs, and Hoffman—An act creating the Water Protection District No. 1, providing for activation, organization and its government and prescribing its powers and duties.

Referred to Committee on Water Resources.

**Senate Bill No. 1566:** By Senator Desmond—An act to amend Section 452 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to the security for disability insurance plans.

Referred to Committee on Social Welfare.

**Senate Bill No. 1567:** By Senator Ward—An act to amend Sections 17501 and 25231 of the Revenue and Taxation Code, relating to the use of inventories for personal income tax and bank and corporation tax purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1568:** By Senator Byrne—An act to add Section 4963.4 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 1569:** By Senator Tenney—An act to amend Section 19571 of the Government Code, relating to state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1570:** By Senator Tenney—An act to add Section 18501 to the Government Code, relating to the State Civil Service System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1571:** By Senator Breed—An act to add Chapter 15.5 to Division 3 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1572:** By Senator Breed—An act to add Section 5072.5 to the Public Resources Code, relating to the abandonment of easements acquired for riding and hiking trails, and flood purposes.

Referred to Committee on Natural Resources.

**Senate Bill No. 1573:** By Senator Breed—An act to amend Section 19582, and to repeal Section 19585, of the Government Code, relating to state employment and disciplinary proceedings.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1574:** By Senator Desmond—An act to add Section 1252.1 to the Code of Civil Procedure, relating to awards in eminent domain actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1575:** By Senator Breed—An act to add Sections 16104, 16105, 16106, 16107 and 16108 to the Business and Professions Code, relating to taxes for county purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1576:** By Senator Way—An act to amend Section 1272 of the Penal Code, relating to bail after convictions.

Referred to Committee on Judiciary.

**Senate Bill No. 1577:** By Senator Way—An act to amend Section 1305 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

**Senate Bill No. 1578:** By Senator Way—An act to amend Section 1487 of the Penal Code, relating to grounds of discharge of prisoners.

Referred to Committee on Judiciary.

**Senate Bill No. 1579:** By Senator Way—An act to add Sections 1128.1 and 1128.2 to the Penal Code, relating to jury deliberations.

Referred to Committee on Judiciary.

**Senate Bill No. 1580:** By Senator Way—An act to add Section 1229 to the Government Code, relating to public officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1581:** By Senator Hulse—An act relating to the California Toll Bridge Authority.

Referred to Committee on Transportation.

**Senate Bill No. 1582:** By Senators Hulse, Parkman, Powers, Burns, and Ward—An act to add Chapter 2.2 to Part 2 of Division 2 of Title 3 of the Government Code, relating to county service areas, providing for the establishment thereof, authorizing the furnishing of extended governmental services within such areas and the levy of taxes upon the property within such areas to finance services.

Referred to Committee on Local Government.

**Senate Bill No. 1583:** By Senator Hulse—An act to amend Section 12152 of the Government Code, relating to the Secretary of State.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1584:** By Senator Hulse—An act to add Section 13162.1 to the Government Code, relating to membership of the State of California in the Pacific Coast Board of Intergovernmental Relations and the duties of the Department of Finance with respect thereto.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1585:** By Senator Hulse—An act to amend Sections 19620.1, 19622 and 19626 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1586:** By Senator Hulse—An act creating the Civil Air Patrol Commission, prescribing its organization, powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1587:** By Senator Hulse—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1588:** By Senator Hulse—An act to amend Section 15644 of the Government Code, relating to surveys by the State Board of Equalization of local assessment procedures.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1589:** By Senator Hulse—An act making an appropriation for the support of the Division of Assessment Standards of the State Board of Equalization in making surveys of local assessment procedures.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1590:** By Senator Hulse—An act to add Section 37209 to the Government Code, relating to cities of the sixth class.

Referred to Committee on Local Government.

**Senate Bill 1591:** By Senator Hulse—An act to amend Section 21933 of the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1592:** By Senator Hulse—An act to amend Section 502 of the Streets and Highways Code, relating to State Highway Route 202.

Referred to Committee on Transportation.

**Senate Bill No. 1593:** By Senator Hulse—An act to amend Section 364 of the Streets and Highways Code, relating to State Highway Route 64.

Referred to Committee on Transportation.

**Senate Bill No. 1594:** By Senator Hulse—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 1554

of the Statutes of 1951, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1595:** By Senator Hulse—An act to repeal Chapter 1466 of the Statutes of 1949, relating to property taxation, including the assessment and equalization of property therefor, the adjustment of assessments for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1596:** By Senator Hulse—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1597:** By Senator Hulse—An act to add Article 34 to Chapter 10 of Title 8 of the Government Code, relating to the municipal court of the County of Imperial.

Referred to Committee on Local Government.

**Senate Bill No. 1598:** By Senator Hulse—An act to amend Section 28127 of the Government Code and Section 427 of the Education Code, relating to compensation for public service in counties of the twenty-seventh class.

Referred to Committee on Local Government.

**Senate Bill No. 1599:** By Senator Hulse—An act to amend Section 69653 of the Government Code, relating to compensation of Judges of the Superior Court of Imperial County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1600:** By Senator Hulse—An act to amend Section 261d of the Code of Civil Procedure, relating to the phonographic reporters.

Referred to Committee on Judiciary.

**Senate Bill No. 1601:** By Senator Hulse—An act to add Section 15606.5 to the Government Code, relating to the equalization of property for tax purposes by the State Board of Equalization, and making an appropriation therefor.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1602:** By Senator Hulse—An act to amend Section 1511.5 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.



**Senate Bill No. 1603:** By Senator Hulse—An act to add Section 1552.45 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1604:** By Senator Hulse—An act to amend Section 1508 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1605:** By Senator Hulse—An act to repeal Section 1552.4 of the Welfare and Institutions Code and to add Section 1552.4 to said code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1606:** By Senator Hulse—An act to amend Section 1521 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1607:** By Senator Collier—An act to amend Sections 130, 151.1, 370, 371.5, 377, 377.5, 378, 380, and 382 of the Vehicle Code, relating to fees collected by the Department of Motor Vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1608:** By Senator Collier—An act to amend Section 382 of the Vehicle Code, relating to fees for duplicates.

Referred to Committee on Transportation.

**Senate Bill No. 1609:** By Senator Collier—An act to amend Section 380 of the Vehicle Code, relating to fee for filing of chattel mortgage.

Referred to Committee on Transportation.

**Senate Bill No. 1610:** By Senator Collier—An act to amend Section 378 of the Vehicle Code, relating to penalties when fee is delinquent.

Referred to Committee on Transportation.

**Senate Bill No. 1611:** By Senator Collier—An act to amend Section 377.5 of the Vehicle Code, relating to fees payable upon installation of engine or motor.

Referred to Committee on Transportation.

**Senate Bill No. 1612:** By Senator Collier—An act to amend Section 377 of the Vehicle Code, relating to fees for transfer of registration.

Referred to Committee on Transportation.

**Senate Bill No. 1613:** By Senator Collier—An act to amend Section 371.5 of the Vehicle Code, relating to registration fees for vehicle registered outside this State.

Referred to Committee on Transportation.

**Senate Bill No. 1614:** By Senator Collier—An act to amend Section 370 of the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation.

**Senate Bill No. 1615:** By Senator Collier—An act to amend Section 151.1 of the Vehicle Code, relating to issuance of certificate of ownership without registration.

Referred to Committee on Transportation.

**Senate Bill No. 1616:** By Senator Collier—An act to amend Section 130 of the Vehicle Code, relating to records of the department.

Referred to Committee on Transportation.

**Senate Bill No. 1617:** By Senators Abshire, Thompson, Ward, and McBride—An act to amend the heading of Part 5 of the Welfare and Institutions Code, to add Chapter 1 as a chapter heading to said Part 5, to add Chapter 2 to said Part 5, and to renumber Section 7500.5 to be Section 7551 of said code, relating to community mental hygiene clinics.

Referred to Committee on Social Welfare.

**Senate Bill No. 1618:** By Senator Abshire—An act to amend Section 7500.5 of the Welfare and Institutions Code, relating to community mental hygiene clinics.

Referred to Committee on Social Welfare.

**Senate Bill No. 1619:** By Senators Abshire and Desmond—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Referred to Committee on Labor.

**Senate Bill No. 1620:** By Senator Abshire—An act to add Section 1509 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1621:** By Senator Abshire—An act to amend Section 1 of Chapter 1179 of the Statutes of 1947, relating to pullorum disease in poultry and making an appropriation.

Referred to Committee on Agriculture.

**Senate Bill No. 1622:** By Senator Abshire—An act to repeal Section 7.3 of the Unemployment Insurance Act, and to amend and renumber Section 7.7 (as added by Statutes 1951, Chapter 1758) of the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Agriculture.

**Senate Bill No. 1623:** By Senator Abshire—An act to amend Section 7.7 (as added by Chapter 1758 of the Statutes of 1951) of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1624:** By Senator Breed—An act to amend Section 1.25 of Chapter 390 of the Statutes of 1909, relating to the use and transfer of certain lands granted to the City of Oakland.

Referred to Committee on Local Government.

**Senate Bill No. 1625:** By Senator Desmond—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1626:** By Senator Thompson—An act to amend Section 7330 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1627:** By Senator Thompson—An act to amend Section 6546 of the Business and Professions Code, relating to the qualifications of an apprentice barber.

Referred to Committee on Business and Professions.

**Senate Bill No. 1628:** By Senator Thompson—An act to amend Section 6535 of the Business and Professions Code, relating to barber colleges.

Referred to Committee on Business and Professions.

**Senate Bill No. 1629:** By Senator Gibson—An act to amend Section 53661 of the Water Code, relating to reclamation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1630:** By Senator Regan—An act to repeal Chapter 788 of the Statutes of 1937, relating to caravanning.

Referred to Committee on Transportation.

**Senate Bill No. 1631:** By Senator Hatfield—An act to amend Section 18934 of, and to add Section 18934.5 to, the Government Code, relating to applications for examination in the state civil service.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1632:** By Senator Hatfield—An act to amend Sections 2 and 3 of Chapter 1071 of the Statutes of 1947, the California State Communications Act, and Sections 15275 and 15279 of the Government Code, relating to the California State Communications Advisory Board.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1633:** By Senator Hatfield—An act to add Sections 7.5 and 7.6 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1634:** By Senator Hatfield—An act to repeal Section 144 of the Education Code, relating to deputy superintendents of public instruction.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1635:** By Senator Hatfield—An act to amend Section 14256 of the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1636:** By Senator Hatfield—An act to transfer the Division of Architecture in the Department of Public Works to the Department of General Services by adding Section 14254.5 and Chapter 7 to Part 10, Division 3, Title 2, to the Government Code, by repealing Chapters 1 and 2 of Part 5, Division 3, Title 2 of said code, and by amending the headings of Part 5, Division 3, Title 2, and of Chapter 3 of Part 5, Division 3, Title 2, and Sections 14255, 14314, 14316, 14351, 14370, 14371, 14377, and 54093 of the Government Code, Section 18191 of the Education Code, Section 1 of the State Postwar Construction Act of 1946 (Chapter 145 of the Statutes of 1946, First Extraordinary Session Section 7), of the Construction and Employment Act (Chapter 20 of the Statutes of 1946, First Extraordinary Session) and Section 5 of Chapter 992 of the Statutes of 1945, relating to the organization of the State Government.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1637:** By Senator Hatfield—An act to amend Section 14256 of the Government Code, relating to state public works projects.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1638:** By Senator Hatfield—An act to amend Section 8.5 of the Civil Defense Act of 1950 (Chapter 3 of the Statutes of the Third Extraordinary Session of 1950), relating to the effective date of the Civil Defense Act of 1950.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1639:** By Senator Hatfield—An act to amend Sections 11552 and 11556 of the Government Code, relating to annual salary of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1640:** By Senator Hatfield—An act to add Article 5d to Chapter 6 of Division 4 of the Military and Veterans Code, relating to the investment of surplus funds in the Veterans' Farm and Home Building Fund of 1943, creating the Veterans Affairs Construction Fund and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1641:** By Senator Hatfield—An act to add Section 736.5 to the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1642:** By Senator Hatfield—An act to amend Section 1080 of the Agricultural Code, relating to injurious materials for use in agricultural operations.

Referred to Committee on Agriculture.



**Senate Bill No. 1643:** By Senator Hatfield—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1644:** By Senator Hatfield—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain.

Referred to Committee on Agriculture.

**Senate Bill No. 1645:** By Senator Hatfield—An act to amend Sections 58950 and 58980 of the Government Code, relating to dissolution of districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1646:** By Senator Hatfield—An act to amend Section 58950 of the Government Code, relating to dissolution of districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1647:** By Senator Hatfield—An act to amend Section 35951 of the Water Code, relating to the bonds of the California water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 1648:** By Senator Hatfield—An act to add Section 463 to the Public Utilities Code, relating to contracts to transmit electric power developed by facilities of the Central Valley Project.

Referred to Committee on Water Resources.

**Senate Bill No. 1649:** By Senator Hatfield—An act to add Section 1253.5 to the Water Code, relating to the appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1650:** By Senator Hatfield—An act to amend Sections 5, 12, 27, and 72, of and to add Sections 27.5 and 27.6 to, the Drainage District Act of 1903, relating to the organization and government of drainage districts, validating districts organized pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 1651:** By Senator Hatfield—An act to add Sections 1254.5, 1305, and 1332 to the Water Code, relative to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1652:** By Senator Hatfield—An act to amend Section 20911 of the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1653:** By Senator Hatfield—An act to amend Section 10500, and to repeal Sections 10501, 10502, and 10503, of the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1654:** By Senator Hatfield—An act to amend Section 35454 of the Water Code, relating to California water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1655:** By Senator Hatfield—An act to amend Section 10500 of the Water Code, relating to appropriation of water.

Referred to Committee on Water Resources.

**Senate Bill No. 1656:** By Senator Hatfield—An act to add Section 35855 to the Water Code and to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 1657:** By Senators Hatfield, Williams, and Hulse—An act to create a Department of Water Resources by amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11411, 11416, 12510, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20016, 20023, 20082, 20083, 20084, 20085, 20086, 20625, 20820, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the Title of Article 1 of Chapter 2, Division 1, the Title of Article 5 of Chapter 3, Part 4, Division 5, the Title of Article 6, Chapter 1, Part 3, Division 6, the Title of Article 2, Chapter 3, Part 8, Division 12, the Title of Chapter 4 of Part 1, Division 14, the Title of Article 4 of Chapter 1, Part 5, Division 14, and the Title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 126, 127, 128, 130, 131, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 1360, and Articles 2, 3, and 4 to Chapter 2, Division 1, the Title to Chapter 3, Division 1, the Title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 6001, 6050, 6051, 8305, 8698, 8699, 11412, 11413, 11554, 20544, 20545, and 39029, and Chapter 2, Part 6, Division 11, of, the Water Code, amending Sections 4001, 11041, 12040, 13370, 14005, 14033, 14255, 14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14035, 14036, and 14037, and Article 2, Chapter 2, Part 5, Division 3, Title 2, of, the Government Code, and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514), relating to state administration of water resources.

Referred to Committee on Water Resources.

**Senate Bill No. 1658:** By Senator Hatfield—An act to amend Section 35602 of the Water Code, relating to California water districts.

Referred to Committee on Water Resources.

**Senate Bill No. 1659:** By Senator Hatfield—An act making an appropriation to the Reclamation Board, funds from the Flood Control Fund of 1946 for flood control purposes in connection with the Merced County Stream Group.

Referred to Committee on Finance.

**Senate Bill No. 1660:** By Senator Hatfield—An act making an appropriation to the Reclamation Board from the Flood Control Fund of 1946 for flood control purposes in connection with the Merced County Stream Group, to take effect immediately.

Referred to Committee on Finance.

**Senate Bill No. 1661:** By Senator Hatfield—An act to add Sections 58857.5 and 58861 to the Government Code, relating to changes in district boundaries.

Referred to Committee on Local Government.

**Senate Bill No. 1662:** By Senator Hatfield—An act to amend Sections 58853, 58854, 58855, 58857, and 58859 of, and to add Sections 58855.1 and 58855.2 to, the Government Code, relating to change of district boundaries.

Referred to Committee on Local Government.

**Senate Bill No. 1663:** By Senator Hatfield—An act to amend Section 28123 of the Government Code and to amend Section 423 of the Education Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 1664:** By Senator Hatfield—An act to amend Section 28134 of the Government Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 1665:** By Senator Hatfield—An act to amend Section 28134 of the Government Code and to amend Section 434 of the Education Code, relating to the compensation of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 1666:** By Senator Hatfield—An act to amend Section 17721 of the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1667:** By Senator Hatfield—An act to amend Sections 30218 and 30306 of the Streets and Highways Code, relating to toll bridges, tubes, or other toll highway crossings.

Referred to Committee on Transportation.

**Senate Bill No. 1668:** By Senator Hatfield—An act to amend Sections 1 and 5 of, and to add Section 4.5 to, Chapter 1321 of the Statutes of 1951, relating to financial aid for county highways.

Referred to Committee on Transportation.

**Senate Bill No. 1669:** By Senator Hatfield—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code, and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Section 1131, relating to labor disputes and the policy of the State with respect to the conduct thereof.

Referred to Committee on Labor.

**Senate Bill No. 1670:** By Senator Hatfield—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code, and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Section 1131, relating to labor disputes and the policy of the State with respect to the conduct thereof.

Referred to Committee on Labor.

**Senate Bill No. 1671:** By Senator Hatfield—An act to amend Sections 13.3, 24, 29.1, 37.2, 622, and 1286 of, and to add Section 13.4 to the Fish and Game Code, relating to the administration of said code and defining the powers of the Fish and Game Commission and the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Senate Bill No. 1672:** By Senator Hatfield—An act to add Section 13.4 to the Fish and Game Code, relating to the administration of said code and defining the powers of the Fish and Game Commission and the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Senate Bill No. 1673:** By Senator Hatfield—An act to repeal Section 16.5, to add Section 16.6, and to amend Section 39.1 of the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

**Senate Bill No. 1674:** By Senator Hatfield—An act to amend Section 92.5 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

**Senate Bill No. 1675:** By Senator Hatfield—An act to amend Section 400 of the Agricultural Code, relating to livestock.

Referred to Committee on Agriculture.

**Senate Bill No. 1676:** By Senator Hatfield—An act to amend Section 1092 of the Agricultural Code, relating to feeding stuffs.

Referred to Committee on Agriculture.

**Senate Bill No. 1677:** By Senator Hatfield—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Referred to Committee on Agriculture.

**Senate Bill No. 1678:** By Senator Hatfield—An act to amend Section 1080 of the Agricultural Code, relating to the use of injurious materials in agricultural operations.

Referred to Committee on Agriculture.

**Senate Bill No. 1679:** By Senator Hatfield—An act to add Section 30.6 to the Agricultural Code, relating to the artificial insemination of bovine animals.

Referred to Committee on Agriculture.



**Senate Bill No. 1680:** By Senator Hatfield—An act to add Section 451.1 to the Agricultural Code, relating to the sale of market milk.

Referred to Committee on Agriculture.

**Senate Bill No. 1681:** By Senator Hatfield—An act to amend Section 525 of the Agricultural Code, relating to dairy farms.

Referred to Committee on Agriculture.

**Senate Bill No. 1682:** By Senator Hatfield—An act to amend Section 1220 of the Agricultural Code, relating to Cooperative associations.

Referred to Committee on Agriculture.

**Senate Bill No. 1683:** By Senator Hatfield—An act to amend Section 1239 of the Agricultural Code, relating to warehouses for agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1684:** By Senator Hatfield—An act to amend Section 106.1 of the Agricultural Code, relating to plant quarantine and pest control.

Referred to Committee on Agriculture.

**Senate Bill No. 1685:** By Senator Hatfield—An act to amend Section 900 of the Agricultural Code, relating to field crops.

Referred to Committee on Agriculture.

**Senate Bill No. 1686:** By Senator Hatfield—An act to amend Section 1044.5 of the Agricultural Code, relating to fertilizing materials.

Referred to Committee on Agriculture.

**Senate Bill No. 1687:** By Senator Hatfield—An act to amend Section 861 of the Agricultural Code, relating to standards for marketing agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1688:** By Senator Hatfield—An act to amend Section 1300.18 of the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

**Senate Bill No. 1689:** By Senator Hatfield—An act to amend Section 785 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Referred to Committee on Agriculture.

**Senate Bill No. 1690:** By Senator Hatfield—An act to amend Section 1106.2 of the Agricultural Code, relating to egg standards.

Referred to Committee on Agriculture.

**Senate Bill No. 1691:** By Senator Hatfield—An act to add Section 735.3a to the Agricultural Code, relating to the marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1692:** By Senator Hatfield—An act to amend Section 461 of the Agricultural Code, relating to milk and milk products.

Referred to Committee on Agriculture.

**Senate Bill No. 1693:** By Senator Hatfield—An act to amend Section 736.1-1 of the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Agriculture.

**Senate Bill No. 1694:** By Senator Hatfield—An act to repeal Chapter 3 of Division 3 and to add Chapter 3 to Division 3, of the Health and Safety Code, relating to the control of rabies in dogs.

Referred to Committee on Agriculture.

**Senate Bill No. 1695:** By Senator Hatfield—An act to amend Sections 744.2, 743, and 746.2 of the Agricultural Code, relating to the California Dairy Industry Advisory Board and the fees collected therefor.

Referred to Committee on Agriculture.

**Senate Bill No. 1696:** By Senator Hatfield—An act to amend Sections 744.2, 743, and 746.2 of the Agricultural Code, relating to the California Dairy Industry Advisory Board and the fees collected therefor.

Referred to Committee on Agriculture.

#### RECESS

At 11.55 a.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

#### REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.  
Chief Assistant Secretary Cleve V. Taylor at the desk.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 22  
Senate Concurrent Resolution No. 23

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1406

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**REPORTS OF STANDING COMMITTEES****Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Concurrent Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

MAYO, Chairman

**Request for Unanimous Consent**

Senator Harold T. Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 25**

**Assembly Concurrent Resolution No. 25**—Relative to the feeding of deer.

Resolution read, and presented by Senator Harold T. Johnson.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, O'Gara, Powers, Regan, Tenney, Weybret—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Joint Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1124

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**Request for Unanimous Consent**

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Resolution No. 39, at this time, for adoption.

**CONSIDERATION OF SENATE RESOLUTION NO. 39****Senate Resolution No. 39**

Relative to augmenting the funds of the Senate Interim Committee on Nursing Problems

*Resolved by the Senate of the State of California*, That in addition to any money heretofore made available to it, the sum of three thousand five hundred dollars (\$3,500) is hereby made available to the Senate Interim Committee on Nursing Problems created by Senate Resolution No. 214 of the 1951 General Session, from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from the said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, O'Gara, Powers, Tenney, Thompson, Ward, Way, and Weybret—26.

**NOES**—None.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

**Assembly Concurrent Resolution No. 31**

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 31**—Relative to the retirement of Anson S. Blake from long service as chairman of the University Y. M. C. A. Board.

##### Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 31, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

**Assembly Concurrent Resolution No. 31**—Relative to the retirement of Anson S. Blake from long service as chairman of the University Y. M. C. A. Board.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Tenney, Ward, Way, Weybret—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

**Assembly Joint Resolution No. 10**

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Joint Resolution No. 10**—Relative to the imposition of duties on the importation of tuna fish.

Referred to Committee on Fish and Game.



## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, January 17, 1953

MR. PRESIDENT: This is to advise you that the Senate Committee on Rules has appointed Senators Miller, Burns, McCarthy, Tenney, and Williams, to serve as members of the Special Committee on Civilian Defense, under the provisions of Senate Resolution No. 27.

POWERS, Chairman

## RESOLUTIONS

The following resolution was offered:

By Senators Powers, Brown, Burns, and Ward:

## Senate Resolution No. 49

Relative to adjournment in respect to the memory of Judith B. Hatfield

WHEREAS, In the fertile valley of Merced, rimmed by the low hills she loved so well, on January 17, 1953, Judith B. Hatfield set forth upon that final journey from which there is no return; and

WHEREAS, Judith B. Hatfield was the wife of our esteemed fellow Senator, George J. Hatfield of Merced and Madera Counties; and

WHEREAS, A granddaughter of the late Colonel J. J. Stevinson of Merced and a member of one of California's oldest and most distinguished pioneer families, Mrs. Hatfield had traveled widely throughout America and in Europe where she received a portion of her education; and

WHEREAS, A true cosmopolite, reputed for her charming individuality and wit, deeply interested in literature and art, she had a wide acquaintance among celebrities of both Europe and America and a host of friends throughout the length and breadth of her native State who will deeply mourn her passing; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Members of this Senate express to our esteemed friend and fellow member, Senator George J. Hatfield, and to his family, our deepest sympathy and profound regret; and be it further

*Resolved,* That when the Senate of the State of California this day adjourns, it do so out of respect to the memory of Judith B. Hatfield; and be it further

*Resolved,* That the Secretary of the Senate is requested to send suitably prepared copies of this resolution to Senator George J. Hatfield, and to his daughters Georgette Kelly of Newman and Janine Snyder of Berkeley, and to Mrs. Maybelle Paul Iribe, sister of Mrs. Hatfield.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—38.

## LETTER OF TRANSMITTAL

LEGISLATIVE BUDGET COMMITTEE  
CALIFORNIA LEGISLATURE  
SACRAMENTO, January 17, 1953

Hon. George J. Hatfield  
Senator, Twenty-fourth District  
Room 3090, State Capitol  
Sacramento, California

DEAR SENATOR HATFIELD: Pursuant to your request for an analysis of the history of the Financing of the San Francisco-Oakland Bay Bridge, we are submitting the attached report which contains full historical and financial data relating to this subject.

Sincerely yours,

A. ALAN POST  
Legislative Auditor

## MOTION TO PRINT REPORT

Senator Powers moved that the letter of transmittal be printed in the Journal, and the report regarding the history of the financing of the

San Francisco-Oakland Bay Bridge be printed in the Appendix to the Journal, and that 1,500 additional copies be printed for distribution.

Motion carried.

### RESOLUTIONS

The following resolution was offered:

By Senator Mayo:

#### Senate Resolution No. 50

Relating to the continuance of the Senate Fact-Finding Committee on Establishing a Port Development Agency for San Francisco Bay

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact-Finding Committee on Establishing a Port Development Agency for San Francisco Bay created by Senate Resolution No. 172 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 56**—An act to add Section 5050.3 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately; And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of January, 1953, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 944**—An act making an appropriation in connection with litigation concerning the Colorado River, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of January, 1953, at 3.30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

**Senate Resolution No. 50**

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

#### Request for Unanimous Consent

Senator Mayo asked for, and was granted, unanimous consent to take up Senate Resolution No. 50, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 50

## Senate Resolution No. 50

Relating to the continuance of the Senate Fact-Finding Committee on Establishing a Port Development Agency for San Francisco Bay

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Fact-Finding Committee on Establishing a Port Development Agency for San Francisco Bay created by Senate Resolution No. 172 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, and Way—29.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Senate Bill No. 1697:** By Senator Hatfield—An act to add Article 2b to Chapter 3 of Division 2 of the Agricultural Code, relating to sanitary facilities surrounding the feeding of garbage to swine.

Referred to Committee on Agriculture.

**Senate Bill No. 1698:** By Senator Hatfield—An act to add Section 207.6 to the Agricultural Code, relating to payment by the State for diseased animals destroyed.

Referred to Committee on Agriculture.

**Senate Bill No. 1699:** By Senator Hatfield—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain.

Referred to Committee on Agriculture.

**Senate Bill No. 1700:** By Senator Hatfield—An act to amend Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending the effective period of the chapter of said code relating to such storage.

Referred to Committee on Agriculture.

**Senate Bill No. 1701:** By Senator Hatfield—An act to amend the chapter heading of Chapter 2 of Division 4 of, to add Sections 458 and 666.5 to, and to amend Sections 651 and 705 of, the Agricultural Code,

relating to milk and milk products and imitations thereof and violations in relation thereto.

Referred to Committee on Agriculture.

**Senate Bill No. 1702:** By Senator Breed—An act to add Section 16900.1 to the Health and Safety Code, relating to gas appliance vents.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1703:** By Senator Way—An act making an appropriation to pay the State's share of the cost of widening, resurfacing, and straightening College Boulevard in the City of Arcata.

Referred to Committee on Transportation.

**Senate Bill No. 1704:** By Senator Grunsky—An act to add Section 504.1 to, to amend Sections 506, 506.6, and 5003 of, and to repeal Section 5004 of, the Public Resources Code, relating to the Department of Natural Resources and the State Park Commission.

Referred to Committee on Natural Resources.

**Senate Bill No. 1705:** By Senator Grunsky—An act to amend Section 4 of Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Referred to Committee on Natural Resources.

**Senate Bill No. 1706:** By Senator Brown—An act to repeal Sections 23177 and 23178 of the Government Code, relating to county boundaries.

Referred to Committee on Local Government.

**Senate Bill No. 1707:** By Senator Cunningham—An act to add Article 5 to Chapter 2 of Division 1 of the Water Code, relating to beach erosion control.

Referred to Committee on Water Resources.

**Senate Bill No. 1708:** By Senator McBride—An act to amend Section 377 of the Code of Civil Procedure, relating to attorney's fees payable by the heirs or personal representatives in an action for damages for death caused by the wrongful act or negligence of another.

Referred to Committee on Judiciary.

**Senate Bill No. 1709:** By Senator McBride—An act to add Section 302 to the Code of Civil Procedure, relating to attorney's fees in actions for damages on account of bodily injuries and death.

Referred to Committee on Judiciary.

**Senate Bill No. 1710:** By Senator McBride—An act to amend Section 3863 of the Labor Code, relating to attorney's fees to be paid by the employee.

Referred to Committee on Labor.

**Senate Bill No. 1711:** By Senator McBride—An act to amend Section 11732 of the Insurance Code, relating to premium rates of workmen's compensation insurance.

Referred to Committee on Labor.



**Senate Bill No. 1712:** By Senator McBride—An act to amend Section 11730 of the Insurance Code, relating to definition of "merit rating."

Referred to Committee on Labor.

**Senate Bill No. 1713:** By Senator McBride—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1714:** By Senator McBride—An act to amend Section 6454 of the Revenue and Taxation Code of the State of California, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1715:** By Senator Breed—An act relating to toll crossings of San Francisco Bay, including approaches thereto, and expenses of maintaining, operating and insuring such crossings, providing for studies of an additional crossing and making an appropriation therefor, and in connection therewith, to amend Section 30605 and repeal Sections 30606, 30607, and 30608 of the Streets and Highways Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1716:** By Senator Regan—An act authorizing the Secretary of State to purchase and operate laminating equipment.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1717:** By Senator Regan—An act to amend Section 8201 of the Government Code, relating to notaries public.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1718:** By Senator Coombs—An act to amend Section 28133 of the Government Code, relating to salaries of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 1719:** By Senator Coombs—An act to amend Section 28130 of the Government Code, relating to the salaries of county officers.

Referred to Committee on Local Government.

**Senate Bill No. 1720:** By Senator Ed. C. Johnson—An act to amend Section 928 of the Penal Code, relating to the duties of the grand jury.

Referred to Committee on Judiciary.

**Senate Bill No. 1721:** By Senator Ed. C. Johnson—An act to add Article 10 to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to financial records of governmental agencies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1722:** By Senator Tenney—An act to amend Section 7010 of the Health and Safety Code, relating to cremation.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1723:** By Senator Byrne—An act to amend Section 210.1 of the Vehicle Code, relating to registration on nonresident vehicle.  
Referred to Committee on Transportation.

**Senate Bill No. 1724:** By Senator Byrne—An act to amend Section 2035 of the Penal Code, relating to the Youth Authority and director thereof.

Referred to Committee on Institutions.

**Senate Bill No. 1725:** By Senator Byrne—An act to amend Section 1710 of the Welfare and Institutions Code, relating to the Youth Authority and director thereof.

Referred to Committee on Institutions.

**Senate Bill No. 1726:** By Senator Desmond—An act to add Section 12.1 to the Alcoholic Beverage Control Act, relating to the licensing of bartenders.

Referred to Committee on Business and Professions.

**Senate Bill No. 1727:** By Senator Desmond—An act to amend Section 6604 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Business and Professions.

**Senate Bill No. 1728:** By Senator Byrne—An act to amend Section 6002 of the Penal Code, relating to the Youth Authority and the director thereof.

Referred to Committee on Institutions.

**Senate Bill No. 1729:** By Senator Desmond—An act to amend Sections 151, 202, and 205 of, and to add Sections 151.2 and 203.1 to the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment disability compensation.

Referred to Committee on Social Welfare.

**Senate Bill No. 1730:** By Senator Tenney—An act to amend Section 250 of the Vehicle Code, relating to persons required to be licensed, establishing a schedule of fines for failure to renew same.

Referred to Committee on Transportation.

**Senate Bill No. 1731:** By Senator Coombs—An act to amend Section 27000 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 1732:** By Senator Coombs—An act to amend Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 1733:** By Senator Coombs—An act to amend Sections 27229 and 27281 of, and to add Section 27246 to, the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 1734:** By Senator Coombs—An act to amend Section 27183 of the Streets and Highways Code, relating to an engineer of a bridge and highway district.

Referred to Committee on Transportation.

**Senate Bill No. 1735:** By Senator Coombs—An act to add Section 27173.5 to the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

**Senate Bill No. 1736:** By Senator Coombs—An act to add Chapter 9.5, comprising Section 27179 to 27179.14, inclusive, to Part 3, Division 16 of, and to amend Section 27229 of, the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds and the issuance of refunding bonds.

Referred to Committee on Transportation.

**Senate Bill No. 1737:** By Senator Busch—An act to amend Section 147 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Referred to Committee on Social Welfare.

**Senate Bill No. 1738:** By Senator Busch—An act amending Section 79 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1739:** By Senator Busch—An act to amend Section 39.1 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 1740:** By Senator Busch—An act amending Section 28132 of the Government Code, relating to compensation of trial jurors.

Referred to Committee on Local Government.

**Senate Bill No. 1741:** By Senator Busch—An act to amend Section 7923 of the Code of Civil Procedure, relating to the salary of the judge in the Superior Court in Mendocino County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1742:** By Senator Busch—An act to amend Section 340 of the Fish and Game Code, relating to refuges and public shooting grounds.

Referred to Committee on Fish and Game.

**Senate Bill No. 1743:** By Senator Dorsey—An act to add Section 4.1 to the Drainage District Improvement Act of 1919 (Chapter 354, 1919 Statutes), relating to the appointment of an engineer of construction, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 1744:** By Senator Dorsey—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempt from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation.

**Senate Bill No. 1745:** By Senator Ward—An act to add Section 48b to the Civil Code, relating to libel and slander.

Referred to Committee on Judiciary.

**Senate Bill No. 1746:** By Senator Weybret—An act to amend Sections 2011, 2160, and 2181, to repeal Sections 2181.01, 2224, and to add Sections 2165.5, 2229 to the Welfare and Institutions Code, relating to public assistance including aged aid in respect to the liability of responsible relatives and to real property owned by applicants and providing for the repayment of public assistance out of the estates of the recipients thereof.

Referred to Committee on Social Welfare.

**Senate Bill No. 1747:** By Senator Weybret—An act to amend Section 118 of the Welfare and Institutions Code, relating to the confidential nature of records.

Referred to Committee on Social Welfare.

**Senate Bill No. 1748:** By Senator Weybret—An act to amend Section 17952.1 of, and to add Sections 17319.8a, 17319.8b, and 17319.8c to, the Revenue and Taxation Code, relating to personal income tax deductions.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1749:** By Senator Weybret—An act to amend Sections 2011, 3088, and 3474 of the Welfare and Institutions Code, relating to responsible relatives of recipients and applicants for aged and blind aid.

Referred to Committee on Social Welfare.

**Senate Bill No. 1750:** By Senator Dorsey—An act to add Chapter 6.5 to Division 10 of the Education Code, relating to the California School of Mines, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 1751:** By Senators Way, Abshire, Montgomery, O'Gara, Harold T. Johnson, Erhart, Tenney, Sutton, McCarthy, Gibson, Coombs, Murdy, Berry, Byrne, Weybret, Desmond, Cunningham, Brown, Hoffman, Busch, and Dorsey—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

**Senate Bill No. 1752:** By Senator Brown—An act to provide for the formation, organization, power, and duties of power districts.

Referred to Committee on Local Government.



**Senate Bill No. 1753:** By Senator Kraft—An act to add Section 4090.5 to the Business and Professions Code, relating to the practice of pharmacy and licenses and permits issued therefor.

Referred to Committee on Business and Professions.

**Senate Bill No. 1754:** By Senator Donnelly—An act to amend Section 340 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

**Senate Bill No. 1755:** By Senator Hoffman—An act to amend Section 771 of the Agricultural Code, relating to certification of grapes for by-products.

Referred to Committee on Agriculture.

**Senate Bill No. 1756:** By Senator Hoffman—An act to amend Sections 1065, 1066, 1067, and 1071 of, to add Sections 1065.5 and 1066.5 to, and to repeal Section 1070 of, the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

**Senate Bill No. 1757:** By Senator Hoffman—An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1758:** By Senators Ed. C. Johnson and Byrne—An act relating to study fish and wild life requirements in connection with the Feather River Project.

Referred to Committee on Fish and Game.

**Senate Bill No. 1759:** By Senator Burns—An act to add Chapter 1 comprising Sections 26001 to 26094, inclusive, to Division 21 of the Health and Safety Code, relating to the adulteration and misbranding of cosmetics.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1760:** By Senator Burns—An act to amend Section 7304 of the Revenue and Taxation Code, and to repeal Part 3 of Division 2 of said code, relating to the taxation of the use of motor vehicle fuel.

Referred to Committee on Transportation.

**Senate Bill No. 1761:** By Senator Burns—An act to add Section 6909 to the Revenue and Taxation Code, relating to overpayments and credits of sales and use tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1762:** By Senator Burns—An act to amend Section 28109 of the Government Code, relating to the salary of officers in a county of the ninth class.

Referred to Committee on Local Government.

**Senate Bill No. 1763:** By Senator Burns—An act to add Sections 19442 and 19443 to the Education Code, relating to the use of public school property.

Referred to Committee on Education.

**Senate Bill No. 1764:** By Senator Burns—An act to amend Section 79.10 of the Code of Civil Procedure, relating to the salary of judges of the Superior Court in the County of Fresno.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1765:** By Senator Burns—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of, and to add Section 1090.5 to, the Government Code, relating to contracts of public officers.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1766:** By Senator Burns—An act to amend Sections 8751 and 8752 of the Revenue and Taxation Code, relating to use fuel tax returns and payments.

Referred to Committee on Transportation.

**Senate Bill No. 1767:** By Senator Burns—An act to amend Sections 7305, 7306, and 8101 of the Revenue and Taxation Code, relating to distribution and importation of motor vehicle fuel for license tax purposes, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1768:** By Senator Burns—An act to amend Section 1 of Chapter 1227 of the Statutes of 1951, relating to the municipal court in a district embracing the City of Fresno.

Referred to Committee on Local Government.

**Senate Bill No. 1769:** By Senator Burns—An act to add Section 3044.5 to the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

**Senate Bill No. 1770:** By Senator Burns—An act to repeal Chapter 1, comprising Sections 1200 to 1251, inclusive, of Division 2 of the Health and Safety Code and to add Chapter 1, comprising Sections 1200 to 1237, inclusive, to Division 2 of said code, relating to the regulation and licensing of clinics and dispensaries.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1771:** By Senators Burns and Mayo—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Labor.

**Senate Bill No. 1772:** By Senator Burns—An act to amend Section 563e of the Penal Code, relating to false statements of insolvency.

Referred to Committee on Judiciary.

**Senate Bill No. 1773:** By Senator Burns—An act to add Section 7718.1 to, and to amend Section 9683 of the Business and Professions Code, relating to improper control of funeral arrangements and publication of false statements regarding funeral directors, cemetery arrangements, or cemetery brokers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1774:** By Senator Burns—An act to amend Sections 7053 and 7355, and to repeal Sections 7303, 7350, 7351, 7352, 7353, and 7354 of the Health and Safety Code, relating to dead bodies.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1775:** By Senator Burns—An act to add Sections 7115 and 10406 to the Health and Safety Code, relating to autopsy and cause of death.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1776:** By Senator Breed—An act to amend Sections 3331 and 3332 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Referred to Committee on Institutions.

**Senate Bill No. 1777:** By Senator Breed—An act to repeal Section 3330 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Referred to Committee on Institutions.

**Senate Bill No. 1778:** By Senator Breed—An act to add Section 3302.3 to the Welfare and Institutions Code, relating to insuring materials and products of the California Industries for the Blind against damage or destruction by fire or water.

Referred to Committee on Institutions.

**Senate Bill No. 1779:** By Senator Burns—An act to amend Sections 1142 and 1142.3 of the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California from within the United States and from outside the United States; and to the inspection and certificates of egg products shipped into California.

Referred to Committee on Agriculture.

**Senate Bill No. 1780:** By Senators Harold T. Johnson, Regan, Burns, Powers, Byrne, Cunningham, McCarthy, and Coombs—An act to add Section 879 to the Military and Veterans Code, relating to contracts for educational services to veterans.

Referred to Committee on Military and Veterans Affairs.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 18

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### Request for Unanimous Consent

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18, at this time, for consideration of Assembly amendments.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

## Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 18**—Relative to reducing tolls on the Golden Gate Bridge.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 18?

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 19-27, inclusive.

**Amendment No. 2**

On page 2, lines 6 and 7, of said measure, strike out "one way tolls from forty cents (\$0.40) to twenty-five cents (\$0.25)", and insert "present tolls to the lowest possible tolls".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 18 by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Tenney, and Way—26.

**NOES**—None.

Above resolution ordered enrolled.

**RESOLUTIONS**

The following resolutions were offered:

By Senators Regan, Miller, and Brown:

**Senate Resolution No. 51**

**WHEREAS**, George Spaulding has been an attaché of the Senate for 10 consecutive years, serving in the capacity of History Clerk; and

**WHEREAS**, The courtesy and cooperation of George Spaulding, and his help to all members during the time he has been an attaché has been sincerely appreciated; and

**WHEREAS**, George Spaulding has now resigned to devote his full time to the Tri-County Planning Commission; now, therefore be it

*Resolved by the Senate of the State of California*, That the Senate of the State of California take this occasion to express thanks to George Spaulding for the very efficient and courteous service he has given the Members of the Senate, and the Senate further extends to him the best wishes for his success as Executive Secretary of the Tri-County Planning Commission, and compliments them on the selection of a very competent and efficient Executive Secretary; and be it further

*Resolved*, That the Secretary of Senate be, and he is hereby requested to transmit a copy of this resolution to George Spaulding.

Resolution read, and unanimously adopted on motion of Senator Regan.

By Senator Hulse:

**Senate Resolution No. 52**

Relative to the passing of William Thomas Bill

**WHEREAS**, The numerous friends and admirers of William Thomas Bill were saddened to learn of his death on January 12th of this year at his home in Redlands, California, and

**WHEREAS**, William Thomas Bill, a native of Minnesota, was known affectionately as the father of El Centro, being one of those who established the El Centro townsite, was one of the early developers of Southern California, and was the founder of the El Centro Land Company, and

**WHEREAS**, After his constructive and interesting career at El Centro, William Thomas Bill established himself at Redlands and made a deep imprint upon the development of that community, serving for 25 years as President of the Home Investment Company, which is now known as the Redlands Federal Savings and Loan Association, and



WHEREAS, William Thomas Bill, in addition to being a community builder, was a man of friendly disposition, a Mason for 64 years, and one unusually highly esteemed and respected by all who knew him; now, therefore, be it

*Resolved by the Senate of the State of California,* That it deplores the passing of this stalwart citizen, and desires with this resolution to extend the fullest measure of sympathy to the members of his family, and, be it further

*Resolved,* That the Secretary of the Senate is requested to forward suitably prepared copies of this resolution to the members of the bereaved family of William Thomas Bill.

Resolution read, and unanimously adopted on motion of Senator Powers.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 40

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

HULSE, Chairman

### Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to take up Assembly Bill No. 40, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY BILL NO. 40

### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Hulse:

*Resolved,* That Assembly Bill No. 40 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, and Way—28.

NOES—None.

### Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to take up Assembly Bill No. 40, at this time, for consideration of Assembly amendments.

## CONSIDERATION OF ASSEMBLY BILL NO. 40

**Assembly Bill No. 40**—An act making an appropriation to the Department of Public Works, relating to the repair of the stream bank of Putah Creek and the protection of local sewage disposal plant and public roadways and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

In lines 4 and 5 in the title of the printed bill, as amended in Assembly January 16, 1953, strike out "and public roadways".

**Amendment No. 2**

On page 1, line 12, of said bill, after "Creek", insert "and".

**Amendment No. 3**

On page 1, lines 13 and 14, of said bill, strike out "and for the protection of various adjacent public roadways in Solano County".

**Amendment No. 4**

On page 1 of said bill, between lines 14 and 15, insert  
"SEC. 2. To the extent that the State Allocation Board finds funds apportioned to the City of Winters and the County of Yolo in the Postwar Unemployment and Construction Fund which have not been committed, the appropriation made by this act shall be payable from the Postwar Unemployment and Construction Fund, notwithstanding any provision in the Construction and Employment Act limiting the expenditures therefrom. To the extent that the appropriation is paid from the Postwar Unemployment and Construction Fund, such payment shall constitute payment from the Postwar Unemployment and Construction Fund on behalf of the City of Winters and County of Yolo, respectively, for the purposes of the Construction and Employment Act."

**Amendment No. 5**

On page 2, line 22, of said bill, strike out "SEC. 2", and insert  
"SEC. 3".

**Amendment No. 6**

On page 2, line 30, of said bill, strike out "and to certain local roadways in Solano County".

**Amendment No. 7**

On page 2, line 37, of said bill, strike out ", and the roadway".

**Amendment No. 8**

On page 2, line 38, of said bill, strike out "and disrupt vital lanes of communication".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**MOTION TO PRINT WITH RUSH ORDER**

Senator Hulse moved that Assembly Bill No. 40 be sent to print with a rush order.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered enrolled.

## LETTER OF TRANSMITTAL

STATE LANDS COMMISSION  
DIVISION OF STATE LANDS  
LOS ANGELES, January 15, 1953

*Hon. Goodwin J. Knight  
President of the Senate  
State Capitol  
Sacramento 14, California*

DEAR MR. PRESIDENT: Pursuant to action taken by the State Lands Commission at its meeting on January 8, 1953, there is transmitted herewith the SUMMARY AND RECOMMENDATIONS of the report prepared under the direction of the State Lands Commission on the Torrens Land Title System of the State of California.

The remaining portion of the report is now in the hands of the printer and will be available for distribution within about a month.

Yours very truly,

RUFUS W. PUTNAM  
Executive Officer

The letter of transmittal ordered printed in the Journal, and the report ordered printed in the Appendix to the Journal.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 12

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

## Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, for consideration of Assembly amendments.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

## Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 12**—Relative to to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 12?

## Amendment No. 1

On line 5 of the printed bill as amended, strike out "one hundred seventy-five thousand dollars", and insert "two hundred twenty-five thousand dollars".

## Amendment No. 2

On line 6 of the printed bill as amended, strike out "(\$175,000)", and insert "(\$225,000)".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 12 by the following vote:

AYES—Senators Berry, Breed, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Mayo, Miller, Montgomery, Parkman, Powers, Regan, Sutton, and Way—21.

NOES—None.

Above resolution ordered enrolled.

## RESOLUTIONS

The following resolution was offered:

By Senator McCarthy:

## Senate Resolution No. 53

Relative to the continuance of the Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System created by S. R. 173 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of seven hundred dollars (\$700), together with the unexpended balance of the money heretofore made available to the committee, or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## Request for Unanimous Consent

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Resolution No. 53, at this time, for adoption.

## CONSIDERATION OF SENATE RESOLUTION NO. 53

## Senate Resolution No. 53

Relative to the continuance of the Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System created by Senate Resolution No. 173 of the 1951 session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of seven hundred dollars (\$700), together with the unexpended balance of the money heretofore made available to the committee, or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed.



after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Grunsky, Hoffman, Harold T. Johnson, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Thompson, and Way—22.

NOES—None.

**Senator McBride Presiding**

At 4.50 p.m., Senator James J. McBride of the Thirty-third District, presiding.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 29

Senate Concurrent Resolution No. 32

Senate Concurrent Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered enrolled.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 30

Assembly Concurrent Resolution No. 33

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read :

**Assembly Concurrent Resolution No. 30**—Relative to honoring the memory of Dr. George Henry Hecke.

#### Request for Unanimous Consent

Senator Coombs asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 30, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 30

**Assembly Concurrent Resolution No. 30**—Relative to honoring the memory of Dr. George Henry Hecke.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 33**—Relative to the passing of Mrs. George J. Hatfield.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 33, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 33**

**Assembly Concurrent Resolution No. 33**—Relative to the passing of Mrs. George J. Hatfield.

Resolution read and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—38.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 1781:** By Senator Burns—An act to amend Section 28000 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1782:** By Senator Burns—An act to add Section 6820 to the Business and Professions Code, relating to operating engineers.

Referred to Committee on Business and Professions.

**Senate Bill No. 1783:** By Senator O'Gara—An act to add Section 30107.5 to the Streets and Highways Code, relating to the operation of trains across bridges subject to the jurisdiction of the California Toll Bridge Authority.

Referred to Committee on Transportation.

**Senate Bill No. 1784:** By Senator O'Gara—An act to repeal Articles 3, 4, 5, 6, 7, and 8, to amend and renumber the headings Articles 9, 10, and 11, and to add Article 3 to Chapter 1 of Division 5 of the Elections Code, relating to presidential primaries.

Referred to Committee on Elections.

**Senate Bill No. 1785:** By Senator McCarthy—An act to free certain lands in Marin County from the public trust for navigation and fisheries, authorizing the State Lands Commission to convey such property of the State of California for value, and providing for actions

against the State to quiet title and to determine the validity of the title to such lands.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1786:** By Senator O'Gara—An act to amend Section 8107 of, and to add Section 8106.5 to, the Revenue and Taxation Code, relating to taxes imposed with respect to motor vehicle fuel.

Referred to Committee on Transportation.

**Senate Bill No. 1787:** By Senator Gibson—An act appropriating money to continue the preliminary studies and plans with respect to the proposed Carquinez Bridge.

Referred to Committee on Transportation.

**Senate Bill No. 1788:** By Senator Gibson—An act to amend Section 5091 of the Business and Professions Code, relating to the practice of accountancy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1789:** By Senator Gibson—An act to amend Section 7901 of the Financial Code, relating to building and loan association.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1790:** By Senator Gibson—An act to dissolve the Benicia Reclamation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1791:** By Senator Gibson—An act making an appropriation for the payment of salaries of additional members of the California Highway Patrol.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1792:** By Senator Gibson—An act to amend Section 533 of the Vehicle Code, relating to school busses.

Referred to Committee on Transportation.

**Senate Bill No. 1793:** By Senator Gibson—An act to add Section 135 to the Vehicle Code, relating to the mechanical inspection of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1794:** By Senator Gibson—An act to amend Section 382 of the Vehicle Code, relating to fees collected by the Department of Motor Vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1795:** By Senator Gibson—An act to add Section 771.5 to the Vehicle Code, relating to use of fines and forfeitures for driver improvement programs.

Referred to Committee on Transportation.

**Senate Bill No. 1796:** By Senator Gibson—An act to add Section 139.45 to the Vehicle Code, relating to foreign vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1797:** By Senator Thompson—An act to add Chapter 10, consisting of Sections 4500 to 4562, inclusive, to Division 2 of the Business and Professions Code, relating to the licensing, course of study, training and practice of practical nurses.

Referred to Committee on Business and Professions.

**Senate Bill No. 1798:** By Senator Thompson—An act to amend Sections 3, 13, 14, 18, and 27 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the control and conservation of flood and storm waters and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Senate Bill No. 1799:** By Senator Thompson—An act to add Section 11656.6 to the Insurance Code, relating to workman's compensation insurance.

Referred to Committee on Labor.

**Senate Bill No. 1800:** By Senators Hoffman and Sutton—An act to add Section 190 to the Military and Veterans Code, relating to armories.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1801:** By Senator Thompson—An act to amend Section 9053 of the Public Resources Code, relating to the Soil Conservation Equipment Revolving Fund.

Referred to Committee on Natural Resources.

**Senate Bill No. 1802:** By Senator Thompson—An act to add Section 7333.5 to the Business and Professions Code, relating to schools of cosmetology.

Referred to Committee on Business and Professions.

**Senate Bill No. 1803:** By Senator Mayo—An act to amend Section 11740 of the Insurance Code, relating to annual statement.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1804:** By Senator Tenney—An act to add Section 49.1 to the Alcoholic Beverage Control Act (Statutes of 1935, Chapter 330), and to add Section 23669.5 to the Business and Professions Code, relating to imports of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1805:** By Senator Cunningham—An act to add Sections 405.5, 441.5, 1603.5 and 1831.5 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1806:** By Senator Harold T. Johnson—An act to amend Section 8809 of the Streets and Highways Code, relating to improvement bonds.

Referred to Committee on Transportation.



**Senate Bill No. 1807:** By Senator Harold T. Johnson—An act to amend Section 9355 of the Government Code, relating to the Legislators' Retirement System.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1808:** By Senator Sutton—An act to amend Section 100.2 of the Streets and Highways Code, relating to closing city streets.

Referred to Committee on Transportation.

**Senate Bill No. 1809:** By Senator Sutton—An act relating to the sale and acquisition of inaccessible and surplus portions of state parks.

Referred to Committee on Natural Resources.

**Senate Bill No. 1810:** By Senator Sutton—An act to amend Section 79.52 of the Code of Civil Procedure, relating to the judge's salary in the County of Tehama.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1811:** By Senator Sutton—An act to amend Section 79.6 of the Code of Civil Procedure, relating to the judge's salary in the County of Colusa.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1812:** By Senator Sutton—An act to amend Section 79.11 of the Code of Civil Procedure, relating to the judge's salary in the County of Glenn.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1813:** By Senator Sutton—An act to add Section 685 to the Vehicle Code, relating to motor vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1814:** By Senator Hulse—An act to add Section 45.13 to the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1815:** By Senator Hulse—An act to add Section 7.8 to the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1816:** By Senator Thompson—An act to amend Section 1261 of the Business and Professions Code, relating to licensing of clinical laboratory technicians.

Referred to Committee on Business and Professions.

**Senate Bill No. 1817:** By Senators McCarthy, Tenney, Weybret, Harold T. Johnson, Miller, Regan, Byrne, Ed. C. Johnson, Berry, Parkman, Way, Cunningham, and Montgomery—An act to add Section 139.41 to the Vehicle Code, relating to the California Highway Patrol.

Referred to Committee on Transportation.

**Senate Bill No. 1818:** By Senator O'Gara—An act to add Article 3 to Chapter 2 of Division 17 of the Streets and Highways Code, relating to toll crossings of San Francisco Bay, including the approaches thereto, and providing for studies of an additional crossing and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1819:** By Senator O'Gara—An act to add Section 6882 to the Business and Professions Code, relating to collection agencies.

Referred to Committee on Business and Professions.

**Senate Bill No. 1820:** By Senator O'Gara—An act to amend Sections 7018.1 and 7018.2 of, and to add Section 9810 to, the Education Code, relating to mentally retarded minors.

Referred to Committee on Education.

**Senate Bill No. 1821:** By Senator O'Gara—An act to add Section 157.6 to the Vehicle Code, relating to special license plates.

Referred to Committee on Transportation.

**Senate Bill No. 1822:** By Senator O'Gara—An act to add Section 1352.2 to the Labor Code, relating to the working hours of female employees.

Referred to Committee on Labor.

**Senate Bill No. 1823:** By Senator O'Gara—An act to amend Section 6604 of the Business and Professions Code, relating to use for barbering of premises used for other purposes.

Referred to Committee on Business and Professions.

**Senate Bill No. 1824:** By Senator O'Gara—An act to amend Section 59.5 of the Code of Civil Procedure, relating to publication of reports.

Referred to Committee on Judiciary.

**Senate Bill No. 1825:** By Senator O'Gara—An act to amend Section 16705 of the Government Code, relating to lost or destroyed instruments.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1826:** By Senator Harold T. Johnson—An act to amend Section 204g to the Code of Civil Procedure, relating to the superior court and fixing salaries.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1827:** By Senator Dilworth—An act to amend Section 5048.1 of the Education Code, relating to the State Allocation Board.

Referred to Committee on Education.

**Senate Bill No. 1828:** By Senator Ward—An act to amend Section 6885 of the Business and Professions Code, relating to collection agencies.

Referred to Committee on Business and Professions.

**Senate Bill No. 1829:** By Senator Dilworth—An act to add Section 172c to the Penal Code, relating to selling or exposing intoxicating liquor

for sale in the vicinity of a described portion of the grounds belonging to the University of California at Riverside.

Referred to Committee on Judiciary.

**Senate Bill No. 1830:** By Senator Grunsky—An act to amend Section 1370 of the Insurance Code, relating to reciprocal insurers.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1831:** By Senator Busch—An act to amend Section 3 of the Judges' Retirement Act (Chapter 77, Statutes 1937), relating to the retirement of judges for disability.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1832:** By Senator Busch—An act to amend Section 1151 of the Fish and Game Code, relating to use of artificial light in taking of fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 1833:** By Senator Way—An act amending Section 79 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1834:** By Senator Coombs—An act to add Section 7431.3 to the Education Code, relating to school district bonding capacity.

Referred to Committee on Education.

**Senate Bill No. 1835:** By Senator Miller—An act to amend Section 2200 of the Welfare and Institutions Code, relating to the case histories of recipients of aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1836:** By Senator Miller—An act to amend Section 2183 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 1837:** By Senator Miller—An act to add Section 1229 to the Government Code, relating to meetings of public bodies.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1838:** By Senator Coombs—An act to add Chapter 9.5 comprising Sections 27179 to 27179.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Referred to Committee on Transportation.

**Senate Bill No. 1839:** By Senator Coombs—An act to provide for the operation and maintenance by the State of the Golden Gate Bridge, and for the incorporation thereof into the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 1840:** By Senator Coombs—An act to provide for the transfer of title and easement to the highway known as Sausalito Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Transportation.

**Senate Bill No. 1841:** By Senator Coombs—An act to add Chapter 18 to Part 3 of Division 16 of the Streets and Highways Code, to provide for the maintenance of bridges and the approaches thereto constructed under said part by the Department of Public Works of the State of California where such bridges and approaches form a connecting link between two primary routes in the State Highway System.

Referred to Committee on Transportation.

**Senate Bill No. 1842:** By Senator Coombs—An act to provide for the realignment and reconstruction of State Highway Route 8 and making an appropriation therefor.

Referred to Committee on Transportation.

**Senate Bill No. 1843:** By Senator Coombs—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

**Senate Bill No. 1844:** By Senator Miller—An act to repeal Sections 8812 and 8815 of, and to add Section 8819.5 to, the Education Code, relating to junior colleges.

Referred to Committee on Education.

**Senate Bill No. 1845:** By Senator Miller—An act to add Section 4752 to the Education Code, relating to the establishment of a new unified school district.

Referred to Committee on Education.

**Senate Bill No. 1846:** By Senator Miller—An act to add Section 13226 of the Education Code, relating to insurance of school teachers.

Referred to Committee on Education.

**Senate Bill No. 1847:** By Senator Miller—An act to amend Section 65362 of the Government Code, relating to planning.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1848:** By Senator Miller—An act to add Section 6887 to the Health and Safety Code, relating to annexation of territory to sanitary districts.

Referred to Committee on Local Government.

**Senate Bill No. 1849:** By Senator Miller—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Referred to Committee on Education.



**Senate Bill No. 1850:** By Senator Mayo—An act to amend Section 21 of the Alcoholic Beverage Control Act (Chapter 330 of Statutes of 1935), relating to applications for on-sale liquor licenses.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1851:** By Senator Regan—An act to amend Section 697 of the Vehicle Code, relating to the height and length of vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1852:** By Senator Miller—An act to add Section 13236 to the Education Code, relating to lunch periods for teachers.

Referred to Committee on Education.

**Senate Bill No. 1853:** By Senator Miller—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Referred to Committee on Local Government.

**Senate Bill No. 1854:** By Senator Miller—An act to add Section 14551.5 to the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 1855:** By Senator Miller—An act to amend Sections 3, 5, 6.1, 11, 12 and 18.5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), relating to the Contra Costa County Flood Control and Water Conservation District.

Referred to Committee on Water Resources.

**Senate Bill No. 1856:** By Senator Miller—An act to amend Section 13841.1 of the Education Code, relating to school district employees.

Referred to Committee on Education.

**Senate Bill No. 1857:** By Senator Miller—An act to amend Section 8811 of the Education Code, relating to establishment and maintenance of junior colleges.

Referred to Committee on Education.

**Senate Bill No. 1858:** By Senator Breed—An act to provide for the planning, financing and construction of one or more additional toll bridges across San Francisco Bay, providing for the use of toll revenues on the existing San Francisco-Oakland Bay Bridge therefor and in connection therewith to add Article 2 to Chapter 1, Division 17, of the Streets and Highways Code, and to amend Sections 30204 and 30607 of the Streets and Highways Code.

Referred to Committee on Transportation.

**Senate Bill No. 1859:** By Senator Way—An act to add Section 1090 to the Penal Code, relating to juries.

Referred to Committee on Judiciary.

**Senate Bill No. 1860:** By Senator Way—An act to add Section 1091 to the Penal Code, relating to juries.

Referred to Committee on Judiciary.

**Senate Bill No. 1861:** By Senator Way—An act to add Section 1092 to the Penal Code, relating to juries.

Referred to Committee on Judiciary.

**Senate Bill No. 1862:** By Senator Way—An act to add Section 1553.15 to the Penal Code, relating to the placing of holds on confined defendants.

Referred to Committee on Judiciary.

**Senate Bill No. 1863:** By Senator Way—An act to add Section 2285 to the Civil Code, relating to the disposition of funds given to a social or charitable organization when the purpose of the gift has failed.

Referred to Committee on Judiciary.

**Senate Bill No. 1864:** By Senator Way—An act to add Section 2284 to the Civil Code, relating to the disposition of gifts upon the termination of a fraternal or social corporation.

Referred to Committee on Judiciary.

**Senate Bill No. 1865:** By Senator Way—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to sexual psychopaths.

Referred to Committee on Judiciary.

**Senate Bill No. 1866:** By Senator Way—An act to add Section 1111a to the Penal Code, relating to evidence.

Referred to Committee on Judiciary.

**Senate Bill No. 1867:** By Senator Way—An act to add Section 1241 of the Penal Code, relating to appeals.

Referred to Committee on Judiciary.

**Senate Bill No. 1868:** By Senator Way—An act to add Section 181 to the Code of Civil Procedure, relating to judges pro tempore.

Referred to Committee on Judiciary.

**Senate Bill No. 1869:** By Senator Way—An act to add Section 133.5 to the Penal Code, relating to coaching of witnesses.

Referred to Committee on Judiciary.

**Senate Bill No. 1870:** By Senator Way—An act to add Section 1247f to the Penal Code, relating to criminal appeals.

Referred to Committee on Judiciary.

**Senate Bill No. 1871:** By Senator Burns—An act to amend Section 3 of Chapter 788 of the Statutes of 1937, relating to caravan permits.

Referred to Committee on Transportation.

**Senate Bill No. 1872:** By Senator Dilworth—An act to repeal Sections 1554, 3025, 3087.1, 3420, and 3480 of, and to repeal and add Section

1510 to, and to add Section 146 to, the Welfare and Institutions Code, relating to the financing of public assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1873:** By Senator Tenney—An act to amend Section 58 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to disqualification for benefits.

Referred to Committee on Social Welfare.

**Senate Bill No. 1874:** By Senator Desmond—An act to provide loans to counties for drainage improvement, and making an appropriation therefor.

Referred to Committee on Water Resources.

**Senate Bill No. 1875:** By Senator Desmond—An act to amend Sections 33804, 33808, 33813, 33815, 33950, 33961, 33966, 33970 34105, 34111, 34137, 34140, 34402, 34703, 34704, 34705, 34850, 34852, and 34857, and to repeal Section 33964 of the Streets and Highways Code, relating to parking bonds.

Referred to Committee on Transportation.

**Senate Bill No. 1876:** By Senator Desmond—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Local Government.

**Senate Bill No. 1877:** By Senator Parkman—An act to amend Sections 5631, 5658 and 5666 of, and to add 5658.5 and 5661.5 to, the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Natural Resources.

**Senate Bill No. 1878:** By Senator Thompson—An act to amend Section 5082 of the Business and Professions Code, relating to the practice of accountancy.

Referred to Committee on Business and Professions.

**Senate Bill No. 1879:** By Senator Coombs—An act to add Section 7431.3 to the Education Code, relating to school district bonding capacity.

Referred to Committee on Education.

**Senate Bill No. 1880:** By Senator Coombs—An act making an appropriation for the purpose of providing transportation facilities on the grounds of the Veterans' Home of California.

Referred to Committee on Institutions.

**Senate Bill No. 1881:** By Senator Parkman—An act to amend Section 9540 of the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Referred to Committee on Business and Professions.

**Senate Bill No. 1882:** By Senator Parkman—An act relating to municipal court traffic fines bureaus in San Mateo County.

Referred to Committee on Local Government.

**Senate Bill No. 1883:** By Senator Miller—An act making an appropriation for the administration of the Vocational Nursing Practice Act.  
Referred to Committee on Finance.

**Senate Bill No. 1884:** By Senator Miller—An act authorizing the State Lands Commission to exchange property of the State of California for property in Contra Costa County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such land.  
Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1885:** By Senator Miller—An act to amend Section 2020.01 of the Welfare and Institutions Code, relating to net income of recipients of public assistance.  
Referred to Committee on Social Welfare.

**Senate Bill No. 1886:** By Senator Miller—An act to amend Section 10503 of the Education Code, relating to courses in junior high schools.  
Referred to Committee on Education.

**Senate Bill No. 1887:** By Senator Miller—An act to add Section 4366 to the Education Code, relating to rental of quarters by junior college districts.  
Referred to Committee on Education.

**Senate Bill No. 1888:** By Senator Miller—An act to amend Section 2160 of the Welfare and Institutions Code, relating to old age security requirements.  
Referred to Committee on Social Welfare.

**Senate Bill No. 1889:** By Senator Miller—An act to amend Section 2556 of the Business and Professions Code, relating to dispensing opticians.  
Referred to Committee on Business and Professions.

**Senate Bill No. 1890:** By Senator Miller—An act to amend Sections 13673 and 13675 of the Education Code, relating to leaves of absences of employees of school districts.  
Referred to Committee on Education.

**Senate Bill No. 1891:** By Senator Miller—An act to amend Section 5471 of the Health and Safety Code, relating to powers of counties, sanitary districts, county sanitation districts, and sewer maintenance districts.  
Referred to Committee on Local Government.

**Senate Bill No. 1892:** By Senator Miller—An act to amend Section 5473 of the Health and Safety Code, relating to the authority of cities, cities and counties, sanitary districts, county sanitation districts, or sewer maintenance districts.  
Referred to Committee on Local Government.

**Senate Bill No. 1893:** By Senator Miller—An act to repeal Sections 5473 to 5473.11, inclusive, of the Health and Safety Code, relating to the



authority of cities, cities and counties, sanitary districts, county sanitation districts, or sewer maintenance districts, and the use of money received.

Referred to Committee on Local Government.

**Senate Bill No. 1894:** By Senator Miller—An act to add Section 2141.1 to the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Business and Professions.

**Senate Bill No. 1895:** By Senator Miller—An act to amend Section 18931 of the Government Code, relating to state civil service qualifications.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1896:** By Senator Miller—An act to amend Section 8755 of the Education Code, relating to tuition charges for pupils of elementary school districts attending junior high schools.

Referred to Committee on Education.

**Senate Bill No. 1897:** By Senator Hulse—An act to amend Section 7702 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1898:** By Senator Hulse—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Water Resources.

**Senate Bill No. 1899:** By Senator Powers—An act making an appropriation to pay the claim of Albert Criz and Paul Williams against the State.

Referred to Committee on Finance.

**Senate Bill No. 1900:** By Senator Hoffman—An act to amend Sections 6272 and 6274 of the Harbors and Navigation Code, relating to the powers of port districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1901:** By Senator Hoffman—An act to amend Section 6249 of the Harbors and Navigation Code, relating to the powers of port districts.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1902:** By Senator Brown—An act to amend Section 340 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

#### RESOLUTIONS

The following resolution was offered:

By Senators McBride and McCarthy:

#### Senate Resolution No. 54

Relative to congratulating Judge Keating on the birth of a daughter

WHEREAS, A beautiful eight and one-half pound baby daughter was recently born to Margaret Keating, wife of Judge Thomas F. Keating; and

WHEREAS, During his term in the Senate, which ended with his resignation to accept the position of Judge of the Superior Court on September 5, 1950, Judge Keating and his charming wife endeared themselves to the hearts of the Members of this Senate; and

WHEREAS, The Members of the Senate are overproud to hear of the good fortune of Judge Keating and his wife; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members of the Senate hereby express their sincere congratulations to Mrs. Margaret Keating and Judge Keating and extend to them, and to their beautiful child, their best wishes for a happy future.

Resolution read, and unanimously adopted on motion of Senator McCarthy.

By Senator Regan:

#### Senate Resolution No. 55

Relative to the continuance of the Senate Interim Committee on Public Lands

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Committee on Public Lands, created by Senate Resolution No. 174 of the 1951 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 55

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

#### Request for Unanimous Consent

Senator Regan asked for, and was granted, unanimous consent to take up Senate Resolution No. 55, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 55

##### Senate Resolution No. 55

Relative to the continuance of the Senate Interim Committee on Public Lands

*Resolved by the Senate of the State of California*, As follows:

1. The Senate Committee on Public Lands, created by Senate Resolution 174 of the 1951 Session, is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Coombs, Desmond, Donnelly, Erhart, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Powers, Regan, Sutton, Thompson, and Way—22.

NOES—None.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 21

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OLINIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 21, at this time, for consideration of Assembly amendments.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21

##### Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 21**—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 21?

##### Amendment No. 1

On page 1, line 9, of the printed measure, strike out "March 2", and insert "February 24".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 21 by the following vote:

AYES—Senators Abshire, Berry, Byrne, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gruensky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, and Way—26.

NOES—None.

Above resolution ordered enrolled.

## LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION  
CALIFORNIA LEGISLATURE, ROOM 208, 507 POLK STREET  
SAN FRANCISCO, January 17, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

DEAR SIR: Pursuant to Senate Resolution No. 190, read and adopted June 23, 1951 by the Senate of California at the 1951 Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits Part Five of its report.

This part of the report is entitled "The Disposition of Inferior Court Fines and Forfeitures Under the Court Reorganization Plan Adopted in 1950." It has been prepared pursuant to the recommendation of the Senate Committee on Judiciary of June 5, 1951 that Senate Bill No. 642, as amended, be referred to the Senate Interim Committee on State and Local Taxation for study.

The committee takes this opportunity to thank the Judicial Council, the County Supervisors' Association of California, and the League of California Cities for their cooperation and assistance in the preparation of the report.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

## MOTION TO PRINT REPORT

Senator Powers moved that the letter of transmittal be printed in the Journal, and Part Five of the report submitted by the Senate Interim Committee on State and Local Taxation be printed in the Appendix to the Journal, and that 2,500 additional copies be printed for distribution.

Motion carried.

## RESOLUTIONS

The following resolution was offered:

By Senator Brown:

## Senate Resolution No. 56

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for their attendance upon the 1953 Regular Session of the Legislature:

<i>Senators</i>	<i>County</i>	<i>Mileage (Return only)</i>	<i>Total @ 5¢ per mile</i>
Brown, Charles	Inyo	646	\$32.30
Burns, Hugh M.	Fresno	169	8.45
Hatfield, George J.	Merced	118	5.90
Powers, Harold J.	Modoc	416	20.80

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Thompson, Way—27.

NOES—None

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: This is to advise you that the Senate Committee on Rules has appointed Senator Erhart to serve as a member of the Joint Committee on Soil Conservation, to take the place of Senator Cunningham.

POWERS, Chairman



SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: This is to advise you that the Senate Committee on Rules has appointed Senators Powers, Brown, Burns, Ward, and Hatfield to serve as members from the Senate on the State Capitol Committee, under the terms of S.B. 25 (Chap. 288, Stats. 1949).

POWERS, Chairman

**Request for Unanimous Consent**

Senator Coombs asked for, and was granted, unanimous consent to take up Assembly Bill No. 40, at this time, for final passage.

**CONSIDERATION OF ASSEMBLY BILL NO. 40**

**Assembly Bill No. 40**—An act making an appropriation to the Department of Public Works, relating to the repair of the stream bank of Putah Creek and the protection of local sewage disposal plant and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 40:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, January 15, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN: Assembly Bill No. 40, "An act making an appropriation to the Department of Public Works, relating to the repair of the stream banks of Putah Creek and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure advances funds for channel work necessary to protect the sewage treatment plant of the City of Winters.

I therefore recommend consideration of Assembly Bill No. 40 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Thompson, and Way—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time :

**Senate Bill No. 1903:** By Senator Miller—An act to amend Sections 5153, 7051, 7067, 7075, and 7143 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1904:** By Senator Miller—An act to amend Section 923 of the Labor Code, and to add Chapter 16 to Division 7 of the Education Code, relating to the right of government employees to organize.

Referred to Committee on Labor.

**Senate Bill No. 1905:** By Senator Miller—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

**Senate Bill No. 1906:** By Senator Tenney—An act to add Section 340 to the Vehicle Code, relating to driving a motor vehicle with an expired license.

Referred to Committee on Transportation.

**Senate Bill No. 1907:** By Senator Desmond—An act to amend Sections 20003 and 20045 of, and to add Section 20045.1 to, the Water Code, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts, relating to water.

Referred to Committee on Water Resources.

**Senate Bill No. 1908:** By Senator Desmond—An act to amend Sections 31595, 31966 and 32271 of the Government Code, relating to the organization, operation, and maintenance of a system of state and local government.

Referred to Committee on Local Government.

**Senate Bill No. 1909:** By Senator Desmond—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1910:** By Senator Desmond—An act to amend Sections 1359 and 1362 of the Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1911:** By Senator Desmond—An act to amend Sections 1175, 1193, and 1194.5 of the Insurance Code, relating to insurance principles, practice and business and matters incidental thereto.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1912:** By Senator Way—An act to add Section 135 to the Revenue and Taxation Code, relating to taxpayers' suits.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1913:** By Senator Way—An act for the development of harbor facilities in the vicinity of Malibu Beach, and making an appropriation therefor.

Referred to Committee on Finance.

**Senate Bill No. 1914:** By Senator Ward—An act to amend Section 11567 of the Business and Professions Code, relating to subdivision maps and related documents.

Referred to Committee on Business and Professions.

**Senate Bill No. 1915:** By Senator Ward—An act relating to the deposits of foreign and domestic insurance companies transacting business in this State and in other states.

Referred to Committee on Financial Institutions.

**Senate Bill No. 1916:** By Senator O'Gara—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 1917:** By Senator Harold T. Johnson—An act to amend Section 439 of the Education Code, relating to the salary of superintendents of schools of counties of the thirty-ninth class.

Referred to Committee on Education.

**Senate Bill No. 1918:** By Senator Harold T. Johnson—An act to amend Section 456 of the Education Code, relating to the salary of the superintendent of schools of counties of the fifty-sixth class.

Referred to Committee on Local Government.

**Senate Bill No. 1919:** By Senator Harold T. Johnson—An act to amend Section 431 of the Education Code, relating to the salary of superintendents of schools of counties of the thirty-first class.

Referred to Committee on Local Government.

**Senate Bill No. 1920:** By Senator Harold T. Johnson—An act to amend Section 79.46 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in the County of Sierra.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1921:** By Senator Harold T. Johnson—An act to amend Section 79.29 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in and for Nevada County.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1922:** By Senators Harold T. Johnson, Hoffman, Regan, Byrne, Burns, Powers, Cunningham, McCarthy, McBride, Montgomery, Coombs, Collier, Brown, Dilworth, Way, Erhart, Dorsey, Miller, Desmond, Murdy, Ed. C. Johnson, Abshire, Berry, Grunsky, Parkman, Mayo, Thompson, Kraft, and Ward—An act to amend the

chapter heading of Chapter 10 of Division 4 of, to amend Sections 9701, 9191, 9702 of, to add Sections 6807, 7097, 9700, 9700.1, 30, 9701.1, and 9701.2 of, and to repeal Section 9192 of, the Education Code, relating to adult education.

Referred to Committee on Education.

**Senate Bill No. 1923:** By Senator Harold T. Johnson—An act to amend Sections 5391 and 5392 of the Streets and Highways Code, relating to improvements.

Referred to Committee on Transportation.

**Senate Bill No. 1924:** By Senator Harold T. Johnson—An act to amend Sections 5391 and 5392 of the Streets and Highways Code, relating to public works and improvements.

Referred to Committee on Transportation.

**Senate Bill No. 1925:** By Senator Donnelly—An act to add Section 3067 to the Civil Code, relating to animals.

Referred to Committee on Judiciary.

**Senate Bill No. 1926:** By Senator Cunningham—An act to amend Section 27820 of the Government Code, relating to constables.

Referred to Committee on Judiciary.

**Senate Bill No. 1927:** By Senator Gibson—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Referred to Committee on Finance.

**Senate Bill No. 1928:** By Senator Gibson—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Referred to Committee on Transportation.

**Senate Bill No. 1929:** By Senator Gibson—An act to amend Section 268 of the Vehicle Code, relating to examinations for operators' or chauffeurs' licenses.

Referred to Committee on Transportation.

**Senate Bill No. 1930:** By Senator Gibson—An act to add Section 766 to the Vehicle Code, relating to the penalties imposed for violations of the provisions of the Vehicle Code.

Referred to Committee on Transportation.

**Senate Bill No. 1931:** By Senator Ward—An act to amend Section 12351.5 of the Health and Safety Code, relating to purchase and possession of explosives.

Referred to Committee on Public Health and Safety.

**Senate Bill No. 1932:** By Senator Burns—An act to amend Section 62 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.



**Senate Bill No. 1933:** By Senator Burns—An act to amend Section 59.5 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Senate Bill No. 1934:** By Senator Gibson—An act to amend Sections 751 and 752 of the Vehicle Code, relating to the use of electronic and mechanical speed measuring devices.

Referred to Committee on Transportation.

**Senate Bill No. 1935:** By Senator Coombs—An act to amend Sections 586 and 612.1 of the Vehicle Code, relating to the stopping, standing or parking of vehicles in specified places.

Referred to Committee on Transportation.

**Senate Bill No. 1936:** By Senator Regan—An act to add Sections 7310, 7354, 7653, and 7654 to the Revenue and Taxation Code, relating to the definition of persons and the imposition of storage or use taxes under the Motor Vehicle Fuel License Tax Law, to take effect immediately.

Referred to Committee on Transportation.

**Senate Bill No. 1937:** By Senator Harold T. Johnson—An act making an appropriation to the Division of Beaches and Parks for the development of the Old Immigrant Trail.

Referred to Committee on Transportation.

**Senate Bill No. 1938:** By Senators Powers and Harold T. Johnson—An act to add Sections 2½, 13½, and 50½ to the Public Utilities Act, relating to public utilities, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities.

**Senate Bill No. 1939:** By Senator Miller—An act to add Section 5304 to the Elections Code, relating to solicitation of campaign funds.

Referred to Committee on Elections.

**Senate Constitutional Amendment No. 25:** By Senators Ward, Parkman, and Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 34a of Article IV thereof, relating to property taxation by the State.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 26:** By Senator Abshire—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIII thereof, relating to property to be taxed.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 27:** By Senator Hatfield—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of Section 7½ of Article XI, relating to county charters.

Referred to Committee on Local Government.

**Senate Constitutional Amendment No. 28:** By Senator Desmond—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV thereof, relating to legislative sessions.

Referred to Committee on Governmental Efficiency.

**Senate Concurrent Resolution No. 33:** By Senator Tenney—Relative to the designation and appointment of Gordon W. Norris as Poet Laureate of California.

Referred to Committee on Education.

**Senate Concurrent Resolution No. 34:** By Senator Hatfield—Relative to delivery of electric power from Central Valley Project facilities.

Referred to Committee on Water Resources.

**Senate Joint Resolution No. 14:** By Senator Hatfield—Relative to flood control works on the San Joaquin River.

Referred to Committee on Water Resources.

**Senate Joint Resolution No. 15:** By Senator Harold T. Johnson—Relative to the United States Veterans Administration.

Referred to Committee on Military and Veterans Affairs.

**Senate Joint Resolution No. 16:** By Senators Tenney, Erhart, Way, Murdy, Grunsky, Abshire, and Brown—Relative to the abolition of federal rent control in California.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

At 5.45 p.m., a committee from the Assembly consisting of Messrs. Thomas J. Doyle, Coolidge, and Conrad, appeared at the bar of the Senate, and announced that the Assembly had no further communications to transmit to the Senate, and was now prepared to adjourn for the constitutional recess.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Abshire:

##### **Senate Resolution No. 57**

*Resolved*, That a Committee of Three be appointed by the Presiding Senator to notify the Acting Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Abshire, adopted.

#### **Appointment of Special Committee**

In accordance with the above resolution, the Presiding Senator appointed Senators Abshire, Murdy, and Byrne, as a committee to wait on

His Excellency, Lieutenant Governor Goodwin J. Knight, acting Governor, and inform him that the Senate is ready to adjourn for the constitutional recess.

By Senator Grunsky :

**Senate Resolution No. 58**

*Resolved*, That a Committee of Three be appointed by the Presiding Senator to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Grunsky, adopted.

**Appointment of Special Committee**

In accordance with the above resolution, the Presiding Senator appointed Senators Grunsky, Berry, and Donnelly, as a committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess.

By Committee on Rules :

**Senate Resolution No. 59**

WHEREAS, The whole purpose of the legislative recess will have been defeated if pending legislation is not printed and distributed early in such recess ; therefore, be it

*Resolved*, That the Secretary of the Senate be and he is hereby directed to do everything possible to secure the early printing and distribution of Histories and pending measures ; and be it further

*Resolved*, That the State Printer be and he is hereby directed to spare no effort to complete the printing of pending measures and Histories in order that the same may be distributed to Members of the Legislature, libraries, the press, and the public generally as early in the legislative recess as is possible ; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the State Printer.

Resolution read, and adopted.

**REPORTS OF SPECIAL COMMITTEES**

Senators Abshire, Murdy, and Byrne, as a special committee appointed to wait upon the acting Governor and to inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

Senators Grunsky, Berry, and Donnelly, as a special committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message to the Assembly, and had been requested to inform the Senate that the Assembly had no further communications to transmit as they were ready to adjourn for the constitutional recess.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to :

Assembly Bill No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 231

Assembly Concurrent Resolution No. 29

Assembly Joint Resolution No. 4

ARTHUR A. O'HINIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 122—An act making an appropriation for the construction of fireboats and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of January, 1953, at 5.40 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 12—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951;

Senate Concurrent Resolution No. 14—Approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the fourth day of November, 1952;

Senate Concurrent Resolution No. 21—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling;

Senate Concurrent Resolution No. 22—Relative to the one hundredth anniversary of the founding of the Pacific Gas and Electric Company;

Senate Concurrent Resolution No. 23—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1953, at 5.40 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 28—Approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952;

Senate Concurrent Resolution No. 29—Relative to the case of United States v. Fallbrook Public Utility District, et al.;

Senate Concurrent Resolution No. 32—Relative to approving an amendment to the charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the fourth day of November, 1952;

Senate Concurrent Resolution No. 18—Relative to reducing tolls on the Golden Gate Bridge;

Senate Joint Resolution No. 9—Relative to the shortage of hospital beds for California veterans;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1953, at 5.40 p.m.

POWERS, Chairman



**MOTION TO APPROVE JOURNAL**

Senator Powers moved that the Journals for Monday, January 12, 1953; Tuesday, January 13, 1953; Wednesday, January 14, 1953; Thursday, January 15, 1953; Friday, January 16, 1953, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**MOTION TO APPROVE MINUTES**

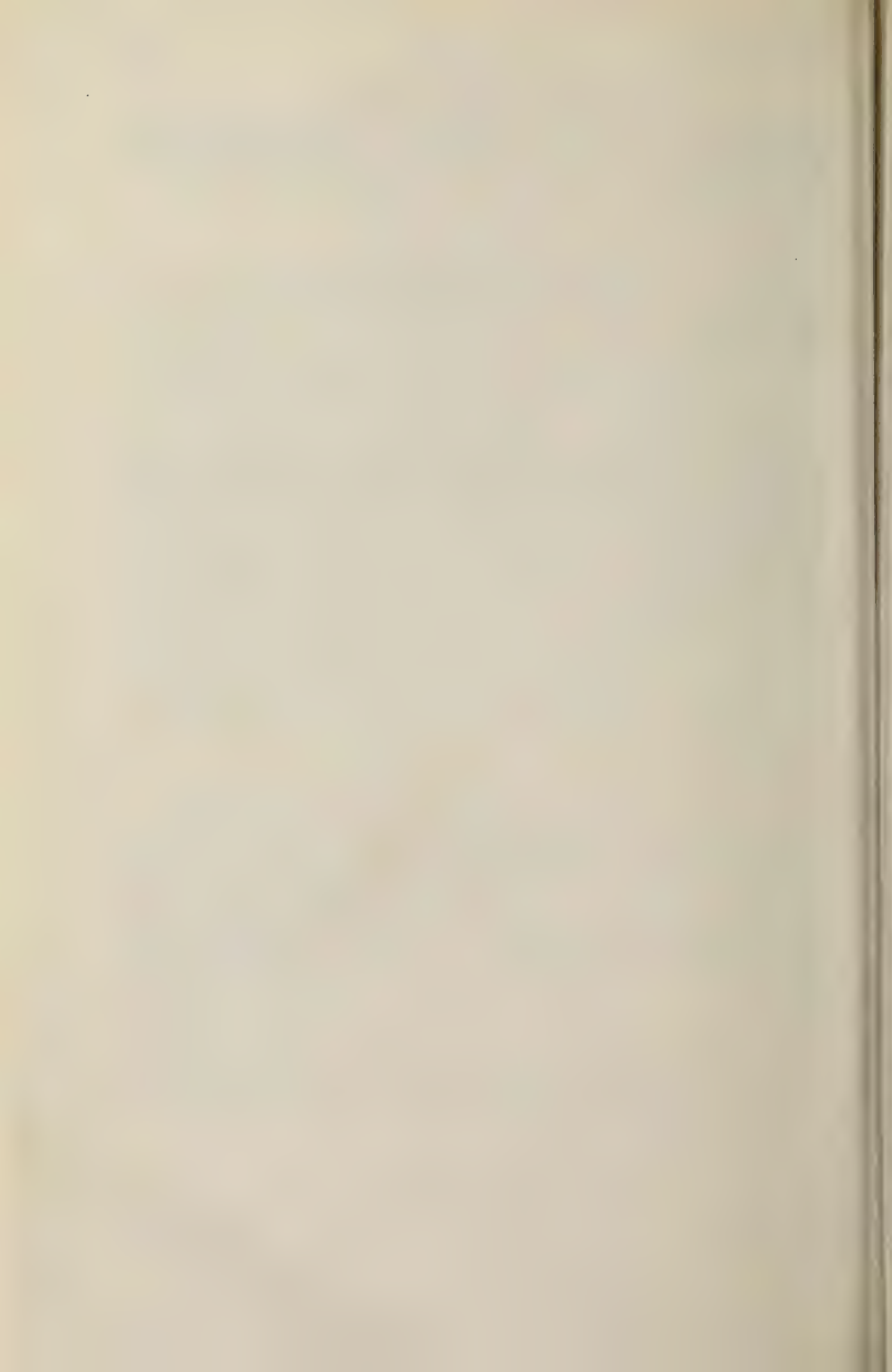
Senator Powers moved that the minutes for this legislative day, Saturday, January 17, 1953, be approved as corrected by the Minute Clerk, and the Journal Clerk.

Motion carried.

**ADJOURNMENT FOR CONSTITUTIONAL RECESS**

Whereupon, at 6 p.m., on motion of Senator Powers, in accordance with the provisions of Senate Concurrent Resolution No. 21, Hon. James J. McBride, Senator from the Thirty-third District presiding, declared the Senate adjourned for the constitutional recess, to reconvene at 12 m. on February 24, 1953, out of respect to the memory of the late Mrs. Judith B. Hatfield.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWELFTH LEGISLATIVE DAY

FOURTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, February 24, 1953

Pursuant to Senate Concurrent Resolution No. 21, providing for the reconvening of the Legislature after the constitutional recess, the Senate met at 12 m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—35.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. H. C. Fellers of the First Christian Church.

### PLEDGE OF ALLEGIANCE

Senator Mayo led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers.

Senator O'Gara, on motion of Senator Powers.

Senator Weybret, on motion of Senator Powers.

Senator Gibson, on motion of Senator Powers.

Senator Miller, on motion of Senator Powers.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. W. Lefever, Board of Supervisors of Ventura County.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Viola M. Rose and Mrs. Wendel Robie of Auburn, Calif.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, January 16, 1953

*Honorable Joseph A. Beek*  
*Secretary of the Senate*  
*State Capitol*

DEAR MR. BEEK: Pursuant to Section 229 of the Water Code, there is transmitted herewith a report prepared by the Division of Water Resources, Department of Public Works, entitled, "Ground Water Basins in California," being Report No. 3 of the Water Quality Investigations, November 1952.

This report identifies the areas of alluvial fill in the State of California which may be areas of ground water storage. It establishes a uniform name and numbering system for ground water basins which can be expanded as new areas of storage are identified. A selected bibliography pertaining to ground water resources in California has been included.

Very truly yours,

FRANK B. DURKEE  
Director of Public Works

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS, PUBLIC WORKS BUILDING  
SACRAMENTO, February 5, 1953

*Mr. Joseph A. Beek*  
*Secretary, State Senate*  
*State Capitol*  
*Sacramento, California*

DEAR MR. BEEK: For your information and records we are sending you, attached, two copies of "Report to the California Legislature on the Progress of Surveys and Plans for a Parallel Toll Crossing of the Carquinez Straits," dated January, 1953.

Copies of the report for distribution to the legislators are being held until the Legislature reconvenes.

Very truly yours,

G. T. MCCOY  
State Highway Engineer

Report ordered filed with the Secretary of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, January 23, 1953

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

DEAR MR. BEEK: In accordance with Section 143.2 of the Streets and Highways Code, there are transmitted herewith for the use of the members of the Senate, 200 copies of the budget report of the Division of Highways as included in the Governor's Budget submitted to the 1953 session of the Legislature. A limited number of additional copies are available, if needed.

Respectfully submitted,

FRANK B. DURKEE  
Director of Public Works

Report ordered filed with the Secretary of the Senate.



STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS  
502 STATE OFFICE BUILDING NO. 1, SACRAMENTO 14  
January 20, 1953

*The Honorable Goodwin J. Knight*  
*President of the Senate*  
*Sacramento, California*

DEAR SIR: Pursuant to the provisions of Section 602S.3 of the Penal Code, I have the honor, in behalf of the Board of Corrections, to transmit a brief progress report of the Special Crime Study Commission on Organized Crime.

The Board of Corrections, and the members of the Commission, regret that circumstances beyond our control make it impossible to submit the final report of the Commission's work at this time; however, the report is nearly completed and will be submitted at the earliest opportunity.

Respectfully submitted,

RICHARD A. MCGEE, Chairman  
MR. WALTER A. GORDON, Vice Chairman  
MRS. ANNE HUMPHREYS, Member  
MRS. HELEN LEGG, Member  
MR. CLINTON T. DUFFY, Member  
MR. CHARLES W. DULLEA, Member  
MR. FRED FINSLEY, Member  
MR. ERVIS W. LESTER, Member  
MR. HEMAN STARK, Member  
MR. O. H. CLOSE, Member  
MR. H. EUGENE BREITENBACH, Member  
MR. F. HAROLD BUTTERFIELD, Member  
MR. BURDETTE DANIELS, Member  
By RICHARD A. MCGEE, Chairman

[COPY]

H. R. VAN BRUNT, Chief Investigator  
828 Transamerica Building  
649 South Olive Street  
Los Angeles 14, California  
Telephone: MADison 6-1515, Extension 828

WARREN OLNEY III, Counsel  
ALAN A. LINDSAY, Assistant  
Law Building  
University of California  
Berkeley 4, California  
Telephone: ASHberry 3-0232, 3-0233

STATE OF CALIFORNIA  
SPECIAL CRIME STUDY COMMISSION ON ORGANIZED CRIME  
GENERAL LEROY P. HUNT, Chairman

HARLEY E. KNOX, Member  
DR. E. WILSON LYON, Member

EDWIN J. OWENS, Member  
THOMAS M. STORKE, Member

January 15, 1953

*State Board of Corrections*  
*State Office Building No. 1*  
*Sacramento 14, California*

Attention: Honorable Richard A. McGee

GENTLEMEN: In conformity with Section 602S.3 of the Penal Code, the Special Crime Study Commission on Organized Crime submits herewith a progress report upon its work and final report.

The commission was organized on October 8, 1951, and terminated its active investigations on June 30, 1952. The completion of the commission's final report has been delayed for two reasons:

First, it has been necessary to delay as long as possible making public some of the commission's more important activities which were undertaken in conjunction with the regular law enforcement agencies in order to permit such agencies to complete their investigations of particular crimes believed to have been committed and to avoid prejudicing their work.

Second, the commission's chief counsel, who is the principal draftsman of the report, was recently appointed, without any advance notice to him, Assistant Attorney General of the United States in charge of the Criminal Division of the Department of Justice, and the excessive demands on his time and energy resulting from this appointment have also contributed to the postponement of the completion of the commission's final report.

The final report will, of course, be completed and will be submitted at the earliest opportunity.

Very truly yours,

THE SPECIAL CRIME STUDY  
COMMISSION ON ORGANIZED CRIME  
By LEROY P. HUNT, Chairman

Report ordered filed with the Secretary of the Senate.

## DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL

LIBRARY AND COURTS BUILDING

SACRAMENTO OFFICE, February 16, 1953

*Lieut. Gov. Goodwin J. Knight  
President of the Senate  
State Capitol  
Sacramento, California*

DEAR SIR: At the suggestion of the Chief Engineer and General Manager of the Reclamation Board, we have written to Senator William F. Knowland, requesting the introduction of legislation in Congress to confer jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon claims of the State of California against the United States Bureau of Reclamation for costs arising out of the rebuilding and relocation of the levees of the Sacramento River which were damaged as a result of the action of the Federal Bureau of Reclamation in closing the outlet gates on Shasta Dam on May 14, 1948.

We are enclosing herewith a copy of our letter dated February 13, 1953, addressed to Senator Knowland. Copies of this letter have also been transmitted to each of the California representatives in Congress, and in addition, to Senator Kuchel.

Very truly yours,

EDMUND G. BROWN  
Attorney General  
By WALTER S. ROUNTREE  
Deputy Attorney General

[COPY]

## DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL

LIBRARY AND COURTS BUILDING

SACRAMENTO OFFICE, February 13, 1953

*Hon. William F. Knowland  
United States Senate  
Washington 25, D. C.*

DEAR SENATOR KNOWLAND: You will find attached hereto a copy of a Resolution of the State Reclamation Board dated February 4, 1953, wherein the board requested the Attorney General of California to request the introduction of legislation in Congress which will confer jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon claims of the State of California against the United States Bureau of Reclamation for costs arising out of the rebuilding and relocation of the levees of the Sacramento River which were damaged as a result of the action of the Federal Bureau of Reclamation in closing the outlet gates on Shasta Dam on May 14, 1948.

In this connection there is attached hereto a copy of the bill of the Reclamation Board to the Bureau of Reclamation, dated January 23, 1953, showing a total expenditure through December 31, 1952, in the amount of \$611,227.41.

Reference is made to Senate Bill 528, 82d Congress, 1st Session, introduced by Senators Knowland and Nixon, and to H. R. 1508, 82d Congress, 1st Session, introduced by Congressman Scudder. Undoubtedly your files in connection with S. 528 contain much of the background material which substantiates the above claim. If not, I will be pleased to forward to you immediately a complete resume of the history of this matter.

It is respectfully requested that a bill be introduced at the present session of Congress in substantially the same form as S. 528 (a copy of which is enclosed for reference purposes).

A copy of this letter is being sent to Senator Kuchel and to each of the California Congressmen.

Your continued interest in this matter will be greatly appreciated, not only by the Attorney General, but also by the Director of Finance, State Reclamation Board, and by the California Legislature.

Very truly yours,

EDMUND G. BROWN  
Attorney General  
By WALTER S. ROUNTREE  
Deputy Attorney General

Excerpt from Minutes of Meetings of The Reclamation Board of February 4, 1953

**RESOLUTION**

WHEREAS, Chapter 103, Resolutions of 1949, directs The Reclamation Board to periodically address the Federal Bureau of Reclamation for reimbursement to the State of California for all costs arising out of the rebuilding and relocation of the levees of the Sacramento River which were damaged as a result of the action of the Federal Bureau of Reclamation in closing the outlet gates on Shasta Dam on May 14, 1948, and

WHEREAS, The Reclamation Board has periodically presented bills to the said Federal Bureau of Reclamation since the adoption of said resolution and has obtained no results therefrom,

Now, therefore, be it resolved, That the Attorney General of the State of California be requested to contact the Senators and Representatives of the State of California in urging the claims of the State of California against the Federal Bureau of Reclamation even to the extent of securing the introduction and passage of a bill in the Congress which will confer jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon these claims of the State of California against the said bureau.

STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO } ss.  
Office of The Reclamation Board }

I, S. A. HONAKER, assistant secretary of The Reclamation Board, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed and adopted by said board at its meeting held February 4, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of The Reclamation Board, this 5th day of February, 1953.

S. A. HONAKER  
Assistant Secretary

THE RECLAMATION BOARD OF THE STATE OF CALIFORNIA  
SACRAMENTO 14, February 5, 1953

*Lieut. Gov. Goodwin J. Knight  
President of the Senate  
The State Capitol  
Sacramento, California*

DEAR SIR: Pursuant to the provisions of Chapter 103 of the Resolutions of 1949 (SJR 21), herewith is the fourth report to the Legislature of the State of California regarding the activities of The Reclamation Board in attempting to secure a reimbursement to the State for expenditures made for reconstruction of flood control works on the Sacramento River, necessitated by the stoppage of the flow of water from Shasta Dam on May 14, 1948.

Bills collectible have been forwarded to the Bureau of Reclamation, in care of the commissioner in Washington, D. C., during each year since the damage occurred. These bills collectible are accumulative and were numbered as Invoices Nos. 1, 2, 3, 4, and 5, the latter of which has been forwarded this date to the commissioner. The accumulative total of expenditures to date is \$611,227.41. A copy of this bill collectible is enclosed, together with exhibits thereto, for your information. There is also enclosed a copy of a resolution adopted February 4, 1953, by The Reclamation Board, which resolution requests the Attorney General of the State of California to contact the senators and representatives of the State of California in Congress to aid in urging the claims of the State against the Bureau of Reclamation, and specifically towards the introduction and passage of bills in the Congress which would confer jurisdiction on the U. S. District Court for the Northern District of California to hear, determine, and render judgment upon these claims of the State against the Bureau of Reclamation. The Board in session on February 4th, personally discussed with the Deputy Attorney General, Mr. Rountree, ways and means to promote California's claim.

Bills have been introduced in prior sessions of Congress towards the same end beginning with a bill introduced by Senator Downey in 1950. These bills however, have failed of passage and therefore the new attempt will be made to secure enactment thereof so that the State's claims may be presented to the federal court in an attempt to secure the reimbursements desired.

The current budget for capital outlay for the Reclamation Board, as presented to the Legislature by the Governor, includes funds for continuation of the repair work on these levees. It is estimated that approximately \$90,000 will be required on the State's behalf to complete the repair work.

Yours very truly,

THE RECLAMATION BOARD  
A. M. BARTON  
Chief Engineer and General Manager

Bill Collectible No. 1952 Con. A-152  
Sacramento 14, Cal., January 23, 1953

U. S. Bureau of Reclamation  
c/o The Commissioner  
Washington 25, D. C.

TO THE RECLAMATION BOARD  
OF THE STATE OF CALIFORNIA  
DR.

1110 O Street  
Phone GI 2-4711, Local 3447  
Terms Net

For the following:

Invoice No. 5, in accordance with Chapter 103, Statutes of 1949 of the State of California, covering operating expenditures for the Reclamation Board of the State of California for reconstruction of flood control works on the Sacramento River necessitated by stoppage of flow of water from Shasta Dam on May 14, 1948, covering period between February 1, 1952 and December 31, 1952:

Salaries and Wages—direct charge	\$2,660.94
Proration of indirect labor cost in ratio of direct labor hours	2,073.95
Car rent—direct charge	99.50
Travel expense—direct charge	78.95
Proration of indirect operating expense in ratio of direct labor hours	466.77
Capital outlay:	
Payments to landowners	64,879.15
Utility relocations	4,395.65
Preliminary title reports and title insurance	515.00
Condemnation proceedings incidental expense	161.20
Expenditures reported by Corps of Engineers, U. S. Army, out of state funds advanced for incidental right-of-way costs on property damaged as a result of activities on May 14, 1948	16,668.21
Total for the period	\$91,999.32
Total for invoices presented previously for period between May 14, 1948 and January 31, 1952	519,228.09
Total expenditure through December 31, 1952	\$611,227.41

Make Checks Payable to THE RECLAMATION BOARD

Due to GENERAL FUND

Accounts credited:

(Detail sheets are attached)

Approved:

THE RECLAMATION BOARD

A. M. BARTON

Chief Engineer and General Manager

#### DISTRIBUTION OF OPERATING EXPENDITURES FOR THE PERIOD FEBRUARY 1, 1952 THROUGH DECEMBER 31, 1952

	(Direct) Levee Slips		(Direct) Other Activities		(Indirect) Unallocable Expense	
	Hours	Amount	Hours	Amount	Hours	Amount
Salaries and Wages	870	\$2,660.94	25,500	\$71,739.02	24,376	\$62,862.14
Distribution of Indirect labor cost in ratio of direct labor hours	3.3%	2,073.95	96.7%	60,788.19		—62,862.14
		\$4,734.89		\$132,527.21		
Operating Expense		\$78.95		\$9,382.48		\$14,147.90
Distribution of Indirect expense cost in ratio of direct labor hours	3.3%	466.77	96.7%	13,681.13		—14,147.90
		\$545.72		\$23,063.61		



Expenditures by jobs by U. S. Engineers for The Reclamation Board during the period February 1, 1952 through December 31, 1952

Job E6699—Levee setbacks and bank protection along Sacramento River, Mile 94 to 117. Contract No. DA-04-167-eng-485	\$—126.51
Job S7000—Reinstallation of reference markers to underground drainage on Browning Ranch	1,419.72
Job E7040—Levee setbacks and bank protection at four sites along Sacramento River near Knights Landing. Contract No. DA-04-167-eng-806	15,375.00
<b>Total</b>	<b>\$16,668.21</b>

**THE RECLAMATION BOARD**  
**DISTRIBUTION OF DIRECT EXPENSES FOR PERIOD**  
**FEBRUARY 1, 1952 THROUGH DECEMBER 31, 1952**  
**SALARIES AND WAGES**

1952	<i>Direct Expense</i>		<i>Appraisers</i>		<i>Engineers</i>		<i>Clerical</i>		<i>Negotiators</i>	
	<i>Hrs.</i>	<i>Amt.</i>	<i>Hrs.</i>	<i>Amt.</i>	<i>Hrs.</i>	<i>Amt.</i>	<i>Hrs.</i>	<i>Amt.</i>	<i>Hrs.</i>	<i>Amt.</i>
Feb. -----	156	\$496.31	--	--	60	\$219.47	40	\$81.58	56	\$195.26
Mar. -----	166	422.10	--	--	150	382.10	8	14.76	8	25.24
Apr. -----	56	130.35	--	--	24	40.22	8	14.09	24	76.04
May -----	24	65.24	--	--	--	--	8	14.76	16	50.48
June -----	32	95.00	--	--	--	--	8	15.50	24	79.50
July -----	72	216.95	--	--	--	--	8	14.77	64	202.18
Aug. -----	56	170.76	--	--	--	--	8	15.48	48	155.28
Sept. -----	88	377.45	8	75.00	12	61.57	8	16.25	60	224.63
Oct. -----	56	166.41	--	--	--	--	8	14.77	48	151.64
Nov. -----	36	140.91	--	--	24	103.06	4	9.56	8	28.29
Dec. -----	128	379.46	--	--	48	149.91	--	--	80	229.55
<b>Totals</b>	<b>870</b>	<b>\$2,660.94</b>	<b>8</b>	<b>\$75.00</b>	<b>318</b>	<b>\$956.33</b>	<b>108</b>	<b>\$211.52</b>	<b>436</b>	<b>\$1,418.09</b>

**CAR RENT**

1952	<i>Oldsmobile</i>		<i>Dodge</i>		<i>Chevrolet</i>		<i>Total</i>
	<i>E6285</i>		<i>E6282</i>		<i>E6281</i>		
Feb. -----	*(5)	\$11.50	--	--	--	--	\$11.50
Mar. -----	(1)	2.30	--	--	--	--	2.30
Apr. -----	(1)	2.30	(1)	\$2.30	--	--	4.60
May -----	(1)	2.30	--	--	--	--	2.30
June -----	(3)	6.90	--	--	--	--	6.90
July -----	(8)	18.40	--	--	--	--	18.40
Aug. -----	(4)	9.20	--	--	(1)	\$1.90	11.10
Sept. -----	(5)	11.50	--	--	(1)	1.90	13.40
Oct. -----	(6)	13.80	--	--	--	--	13.80
Nov. -----	--	--	--	--	--	--	--
Dec. -----	--	--	--	--	(8)	15.20	15.20
<b>Totals</b>	<b>(34)</b>	<b>\$78.20</b>	<b>(1)</b>	<b>\$2.30</b>	<b>(10)</b>	<b>\$19.00</b>	<b>\$99.50</b>

\* Number of days car was used.

**PAYMENTS TO LANDOWNERS FOR RIGHTS OF WAY DURING THE**  
**PERIOD BETWEEN FEBRUARY 1, AND DECEMBER 31, 1952**

F-282	Benner, Harold and Marjorie	\$1,364.50
F-284	Shuey, Ivan and Aida	285.50
F-285	Reel, Cecil et al	917.00
F-286	Duffy, William J. and Gladys	624.00
F-287	Dean, Buell E.	183.00
F-308	Lamb, Frank et al	1,828.00
F-364	Schohr, Elna Browning	75.00
F-365	Hine, Verd B. and Wayne	8,787.00
F-375	Browning, J. L.	7,065.15
F-376	Browning, J. L.	46,750.00
Abatement No. 160—Department of Public Works		—3,000.00

**Total** **\$64,879.15**

## Utilities:

F-341	Pacific Telephone & Telegraph Co.-----	\$885.65
F-277	Pacific Gas & Electric Co.-----	3,510.00
		<u>\$4,395.65</u>

## Preliminary Title Reports and Title Insurance:

F-369	Browning, J. L.-----	33.00
G-1521	MacArthur, Doty et al-----	33.00
G-1535	Davis, Olive et al-----	10.00
G-1542	Chaplin, Brant M. et ux-----	48.00
G-1578	Hankins, William et al-----	44.00
G-1601	Miller, Lawrence et ux-----	43.00
F-307	Benner, Harold F. et ux-----	33.00
F-307	Reel, Cecil et al-----	43.00
F-307	Collier, John-----	24.00
F-307	DuBois, Clarence-----	34.00
F-307	Russell, G. H. et al-----	24.00
F-307	Hershey, Davidella et al-----	24.00
F-311	Duffy, William J. et ux-----	33.00
F-333	Dean, Buell E.-----	33.00
F-345	MacArthur, Doty et al-----	33.00
F-387	Jacobs, Hannah, Estate of-----	33.00
		<u>\$515.00</u>

## Expenses in Connection With Condemnation Proceedings: (MacArthur, Doty et al.)

F-275	Sheriff's mileage-----	2.45
F-290	Sheriff's mileage-----	7.00
F-320	Publication of summons-----	150.00
F-355	Sheriff's mileage-----	1.75
		<u>\$161.20</u>

STATE OF IOWA  
GENERAL ASSEMBLY

## House Resolution 3

BY : Schwengel of Scott, Weiss of Crawford, Burrows of Benton, Ringgenberg of Story, Robinson of Delaware. (Senators Berg, Lord, Nesmith, Walter)

WHEREAS, building of roads and highways since the inception of our Government has been primarily a state responsibility; and

WHEREAS, every state of the Union has tremendous problems in maintaining, extending, and building highways and bridges due to the lack of building program during the war year period; and

WHEREAS, the Federal Government has always collected much more than they have sent back to the states for road building purposes; and

WHEREAS, the costs of building and maintaining roads and highways have increased tremendously; and

WHEREAS, states have demonstrated they are willing, have, and do cooperate in building the federally designated highways; and

WHEREAS, the states sensed the responsibility of an integrated highway system as it relates to the national welfare; and

WHEREAS, the states have demonstrated that they can build adequate highways; and

WHEREAS, in many instances, many economies can be effected through sole state responsibility of building highways; and

WHEREAS, because of the foregoing facts and after due consideration, The Council of State Governments in the National Meeting December 7 in Chicago passed a resolution supporting this proposition, and the Governors' Conference in the National Meeting in July, 1952, unanimously passed a resolution supporting this proposition, therefore,

*Be It Resolved by the House of the 55th General Assembly of the State of Iowa, the Senate concurring.* That the Eighty-Third Congress give serious consideration to the question of eliminating the Federal gasoline tax and leaving that area of taxation entirely to the states.

*Be It Further Resolved,* That attested copies of this concurrent resolution be sent to the presiding officers of the Congress of the United States and to each member of the Iowa delegation in Congress, and that printed copies thereof, showing that said concurrent resolution was adopted by the legislature of Iowa, be sent to each house of the legislatures of the states of the United States.

I hereby certify that the foregoing Concurrent Resolution was adopted by the Fifty-Fifth General Assembly of Iowa on the 23rd day of January, 1953.

A. C. GUSTAFSON  
Chief Clerk

## MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, February 24, 1953*To the Members of the Senate  
of the State of California*

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon and commutation of sentence issued by me from March 20, 1952, to January 9, 1953.

Respectfully submitted,

EARL WARREN, Governor

## ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA

Granted for Period March 20, 1952, to January 9, 1953

## PARDONS

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

**CHESTER O. AINSWORTH**, San Quentin No. 41429, was convicted of the crimes of rape and violation of Section 288 of the Penal Code in Tulare County during November, 1925. He served approximately 10 years and 1 month in prison and approximately 5 years and 10 months on parole, being discharged therefrom on September 24, 1941. Certificate of rehabilitation issued January 10, 1949, by the Superior Court of Tulare County. Granted December 26, 1952.

**JOSEPH HAROLD AMLIN**, San Quentin No. A-496, plead guilty to the crime of violation of Section 11160 of the Health and Safety Code in Los Angeles County during October, 1944. He served 1 year in prison and approximately 1 year and 6½ months on parole, being discharged therefrom on May 15, 1947. Certificate of rehabilitation issued May 10, 1950, by the Superior Court of Los Angeles County. Granted December 26, 1952.

**CYRIL BAKER**, San Quentin No. 69712, was convicted of the crime of manslaughter in San Joaquin County during April, 1943. He served approximately 2 years in prison and 2 years and 8 months on parole, being discharged therefrom on December 23, 1947. Certificate of rehabilitation issued May 9, 1949, by the Superior Court of San Joaquin County. Granted December 29, 1952.

**FRED BARNES**, San Quentin No. 54525 and Folsom No. 20390, plead guilty to the crime of forgery in Los Angeles County during August, 1933. He served approximately 1 year and 2½ months in prison and approximately 9½ months on parole, being discharged therefrom on August 5, 1935. Fred Barnes thereafter plead guilty to the crime of burglary first degree and prior in Los Angeles County during June, 1936. He served approximately 4 years and 3½ months in prison, being discharged therefrom on October 18, 1940. Pardon recommended by a majority of the Justices of the California Supreme Court. Certificate of rehabilitation issued June 21, 1948, by the Superior Court of San Diego County. Granted April 1, 1952.

**EDWIN BERTHOLEF**, San Quentin No. 64291, plead guilty to the crime of arson in Kern County during November, 1939. He served approximately 1 year and 5½ months in prison and approximately 2 years and 1 month on parole, being discharged therefrom on June 21, 1943. Certificate of rehabilitation issued March 28, 1951, by the Superior Court of Kern County. Granted April 3, 1952.

**JOHN BETAR**, San Quentin No. 38506, was convicted of the crime of grand larceny in Los Angeles County during October, 1923. He served 5 years in prison and approximately 1 year and 4 months on parole, being discharged therefrom on March 5, 1930. Certificate of rehabilitation issued December 7, 1949, by the Superior Court of Los Angeles County. Granted December 24, 1952.

**HENRY CAMACHO**, Preston School of Industry No. 11165, was convicted of the crime of assault with intent to commit robbery in Los Angeles County during June, 1931. He served 1 year and 1 month in Preston and approximately 10 months on parole, being discharged therefrom on June 1, 1933. Certificate of rehabilitation issued August 10, 1950, by the Superior Court of Los Angeles County. Granted April 1, 1952.

**JAMES M. CAREY**, San Quentin No. 35210, was convicted of the crime of rape and prior in the City and County of San Francisco during August, 1921. He served approximately 9 years and 2 months in prison and 3 years on parole, being discharged therefrom on October 12, 1933. Certificate of rehabilitation issued June 8, 1950, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 30, 1952.

**FORREST CLARK**, San Quentin No. 64361, plead guilty to the crime of robbery second degree in the City and County of San Francisco during December, 1939. He served approximately 2 years and 4 months in prison and approximately 2 years and 1½ months on parole, being discharged therefrom on June 7, 1944. Certificate of rehabilitation issued February 14, 1949, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 8, 1953.

**IDA CLEVELAND**, Tehachapi No. 419, was convicted of the crime of manslaughter in Imperial County during October, 1938. She served 1 year and 8 months in prison and 1 year and 1 month on parole, being discharged therefrom on August 1, 1941. Certificate of rehabilitation issued November 9, 1951, by the Superior Court of Imperial County. Granted December 24, 1952.

**WALTER S. COOPER**, San Quentin No. 63472, plead guilty to the crime of grand theft in Riverside County during May, 1930. He served approximately 2 years and 7 months in prison, and 1 year on parole. While on parole, Cooper violated his parole and was returned to prison. He served approximately 1 year and 21 months in prison and 1 year and 6 months on parole, being discharged therefrom on September 10, 1945. Certificate of rehabilitation issued April 12, 1950, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 8, 1953.

**ALVIN CUTHERS**, San Quentin No. 47577, plead guilty to the crimes of robbery first degree and assault to murder in Los Angeles County during September, 1929. He served approximately 7 years in prison and approximately 1 year and 5½ months on parole, being discharged therefrom on March 12, 1938. Certificate of rehabilitation issued April 12, 1950, by the Superior Court of Los Angeles County. Granted January 8, 1953.

**JESSE C. DARLING**, San Quentin No. 41657 and Folsom No. 15798, was convicted of the crime of forgery in Tulare County during January, 1926. He served approximately 3 years in prison, being discharged therefrom on December 25, 1928. During May, 1929, Darling plead guilty to the crime of petty theft and prior in Tulare County. He served 3 years and 5 months in prison, being discharged therefrom on October 28, 1932. Certificate of rehabilitation issued December 13, 1951, by the Superior Court of Shasta County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 24, 1952.

**ERWIN DAVIES**, San Quentin No. 52562, was convicted of the crime of robbery first degree in Los Angeles County during July, 1932. He served 3 years and 2 months in prison and 1 year on parole, being discharged therefrom on September 23, 1936. Certificate of rehabilitation issued June 29, 1949, by the Superior Court of Los Angeles County. Granted December 30, 1952.

**CATHERINE EDWARDS**, Tehachapi No. 450, was convicted of the crime of grand theft in Los Angeles County during April, 1939. She served approximately 1 year and 7½ months in prison and approximately 1 year and 3½ months on parole, being discharged therefrom on March 9, 1942. Certificate of rehabilitation issued April 21, 1950, by the Superior Court of Los Angeles County. Granted January 8, 1953.

**BERNICE EMME**, Tehachapi No. 398, was convicted of the crime of assault, with a deadly weapon in Los Angeles County during July, 1931. On the 9th day of May, 1932, Bernice Emme was granted a pardon by Governor James Rolph, Jr., upon the condition that she remain and reside permanently without the borders of the State of California. Bernice Emme subsequently violated the terms of her conditional pardon by returning to California and she was received at the State prison on June 2, 1938, to serve her sentence as prescribed by law. She served approximately 1 year and 11 months in prison and approximately 7 months on parole, being discharged therefrom on December 2, 1940. Certificate of rehabilitation issued January 7, 1948, by the Superior Court of Los Angeles County. Granted December 29, 1952.

**R. O. FERGUSON**, Folsom No. 17784 and San Quentin No. 59940, was convicted of the crime of robbery first degree and prior in Tulare County during April, 1932. He served approximately 6 years and 10½ months in prison, being discharged therefrom on March 2, 1939. Certificate of rehabilitation issued July 3, 1946, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 26, 1952.



**GEORGE FLENAUGH**, San Quentin No. 63898, was convicted of the crime of assault with a deadly weapon in Imperial County during August, 1939. He served approximately 1 year and 9½ months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on March 11, 1943. Certificate of rehabilitation issued July 7, 1948, by the Superior Court of Alameda County. Granted January 7, 1953.

**RONALD FLOHR**, San Quentin No. 55481 and Folsom No. 21044, was convicted of the crime of burglary second degree in Fresno County during February, 1934. He served approximately 1 year and 3½ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on June 7, 1936. During March, 1937, Flohr plead guilty to the crime of robbery first degree and prior in Fresno County. He served approximately 3 years and 9½ months in prison and approximately 2 years and 8½ months on parole, being discharged therefrom on September 30, 1943. Certificate of rehabilitation issued June 6, 1949, by the Superior Court of Fresno County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 7, 1953.

**STEVE FRANETOVICH**, San Quentin No. 56184, plead guilty to the crime of forgery, 2 counts, in Los Angeles County during June, 1934. He served approximately 2 years and 6½ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on January 9, 1938. Certificate of rehabilitation issued January 31, 1951, by the Superior Court of Kern County. Granted April 1, 1952.

**JOHN GUSTIN FRY**, San Quentin No. 59279, was convicted of the crime of violation of Section 288a of the Penal Code (3 counts) in Plumas County during August, 1936. He served approximately 4 years and 3½ months in prison and approximately 5 years and 1 month on parole, being discharged therefrom on December 26, 1945. Certificate of rehabilitation issued January 23, 1950, by the Superior Court of Siskiyou County. Granted January 7, 1953.

**HENRY GABEL**, also known as Henry A. Gable, San Quentin Nos. 42117 and 19281, and Folsom No. 16897, was convicted of the crime of grand larceny in Fresno County during May, 1926. He served 1 year and 2 months in prison and 1 year and 10 months on parole, being discharged therefrom on May 2, 1929. Henry Gabel, also known as Henry A. Gable was convicted of the crime of grand theft and prior in Fresno County during November, 1930. He served approximately 3 years in prison and approximately 1 year and 9 months on parole, being discharged therefrom on August 13, 1935. Certificate of rehabilitation issued July 23, 1951, by the Superior Court of Fresno County. Pardon recommended by a majority of the Justices of the California supreme Court. Granted December 29, 1952.

**LOWELL L. GARRISON**, San Quentin No. 69476, plead guilty to the crime of embezzlement of public funds (4 counts) in Stanislaus County during February, 1943. He served 1 year in prison and approximately 1 year and 7½ months on parole, being discharged therefrom on October 3, 1945. Certificate of rehabilitation issued July 29, 1950, by the Superior Court of Stanislaus County. Granted April 3, 1952.

**KATIE B. GILMORE**, Tehachapi No. 502, was convicted of the crime of issuing checks without sufficient funds (4 counts) in Los Angeles County during December, 1939. She served approximately 2 years and 10 months in prison and approximately 3 years on parole, being discharged therefrom on October 14, 1945. Certificate of rehabilitation issued July 13, 1949, by the Superior Court of Los Angeles County. Granted January 7, 1953.

**C. OPAL HAIRSTON**, San Quentin No. 38330, plead guilty to the crime of robbery in Los Angeles County during September, 1923. He served approximately 5 years and 6 months in prison and approximately 3 years and 6 months on parole, being discharged therefrom on September 12, 1932. Certificate of rehabilitation issued May 17, 1950, by the Superior Court of Kern County. Granted April 3, 1952.

**JOEL D. HALL**, San Quentin No. 60411, was convicted of the crime of negligent homicide in San Bernardino County during May, 1937. He served 1 year and 11 months in prison, being discharged therefrom on April 26, 1939. Certificate of rehabilitation issued March 7, 1951, by the Superior Court of Los Angeles County. Granted December 24, 1952.

**ROBERT HARDEN**, San Quentin No. 55293, plead guilty to the crime of violation of Section 146 of the California Vehicle Act (driving car without owner's consent) in Los Angeles County during January, 1934. He served 2 years and 1 month in prison, being discharged therefrom on February 13, 1936. Certificate of rehabilitation issued March 1, 1944, by the Superior Court of Los Angeles County. Granted April 1, 1952.

**JOE HASSLER**, also known as Joseph Hassler, Folsom No. 15289, plead guilty to the crime of burglary first degree and prior in Santa Clara County during June, 1928. He served approximately 4 years and 11½ months in prison, being discharged therefrom on May 17, 1933. Certificate of rehabilitation issued May 11, 1951, by the Superior Court of Santa Clara County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 24, 1952.

JOHN HUBERT, San Quentin No. 55676, was convicted of the crime of burglary second degree (2 counts) and prior in Fresno County during March, 1934. He served approximately 2 years and 9½ months in prison, being discharged therefrom on January 31, 1937. Certificate of rehabilitation issued July 23, 1951, by the Superior Court of Fresno County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 7, 1953.

JOSE R. LEMOS, San Quentin No. 53686, was convicted of the crime of manslaughter, driving a vehicle upon a public highway while under the influence of intoxicating liquor, and violation of Section 141 of the California Vehicle Act in Madera County during February, 1933. He served 4 years and 2 months in prison, being discharged therefrom on April 19, 1937. Certificate of rehabilitation issued May 4, 1949, by the Superior Court of Los Angeles County. Granted December 26, 1952.

HENRY LEVY, San Quentin No. 52309, plead guilty to the crime of robbery first degree in Los Angeles County during June, 1932. He served approximately 3 years and 7 months in prison and approximately 1 year and 5½ months on parole, being discharged therefrom on June 19, 1937. Certificate of rehabilitation issued July 25, 1951, by the Superior Court of Los Angeles County. Granted December 24, 1952.

VIRGINIA HELEN STEERE LEWIS, Tehachapi No. 839, was convicted of the crime of violation of Section 501 of the California Vehicle Code of Los Angeles County during April, 1945. She served approximately 2 years and 7½ months in prison and approximately 8½ months on parole, being discharged therefrom on August 6, 1948. Certificate of rehabilitation issued February 6, 1952, by the Superior Court of Los Angeles County. Granted December 30, 1952.

GEORGE ALEXANDER LYNCH, San Quentin No. 35078, was convicted of the crime of obtaining money and property by false pretenses (6 counts) in the City and County of San Francisco during June, 1921. He served approximately 1 year and 1 month in prison and approximately 1 year and 3 months on parole, being discharged therefrom on October 24, 1923. Certificate of rehabilitation issued April 9, 1952, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 29, 1952.

JOE MACHADO, San Quentin No. 62522, plead guilty to the crime of rape in San Joaquin County during October, 1938. He served 1 year and 7 months in prison and 2 years and 7 months on parole, being discharged therefrom on December 9, 1942. Certificate of rehabilitation issued October 18, 1949, by the Superior Court of San Joaquin County. Granted December 24, 1952.

ARMOR EVERETT MAIN, San Quentin No. 63267, plead guilty to the crime of burglary first degree (2 counts) in Los Angeles County during March, 1939. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on October 25, 1942. Certificate of rehabilitation issued January 3, 1946, by the Superior Court of Los Angeles County. Granted December 24, 1952.

CARL GEORGE MARTIN, San Quentin No. 57345, plead guilty to the crime of grand theft in Tulare County during February, 1935. He served approximately 2 years and 1 month in prison and approximately 6 months on parole, being discharged therefrom on October 3, 1937. Certificate of rehabilitation issued July 31, 1950, by the Superior Court of Fresno County. Granted December 26, 1952.

FRANCIS E. MEENAN, San Quentin No. 63224, plead guilty to the crimes of issuing check without sufficient funds (violation of Section 176a of the Penal Code) and grand theft in Los Angeles County during March, 1939. He served approximately 1 year and 1½ months in prison and approximately 9 months on parole, being discharged therefrom on February 12, 1941. Certificate of rehabilitation issued June 25, 1952, by the Superior Court of the City and County of San Francisco. Granted December 29, 1952.

MANUEL S. MENDEZ, San Quentin No. 42502, was convicted of the crime of murder first degree in Los Angeles County during July, 1926. He served 10 years in prison, being discharged therefrom on July 31, 1936, after a commutation of sentence to 16 years had been granted him by Governor Frank F. Merriam, on December 17, 1935. Certificate of rehabilitation issued February 5, 1952, by the Superior Court of Los Angeles County. Granted January 8, 1953.

HANSON A. MITCHELL, San Quentin No. 57149, plead guilty to the crime of violation of Section 146 of the California Vehicle Act, and two prior felony convictions, in Alameda County during January, 1935. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on August 15, 1938. Certificate of rehabilitation issued March 26, 1952, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 24, 1952.

HARRY MONTAGUE, San Quentin No. 54836, was convicted of the crime of robbery first degree in Alameda County during October, 1933. He served approximately 3 years and ½ month in prison and approximately 2 years on parole, being discharged therefrom on October 31, 1938. Certificate of rehabilitation issued November 29, 1946, by the Superior Court of Alameda County. Granted January 7, 1953.

VIRGINIA PARSONS, Tehachapi No. 984, was convicted of the crimes of abortion and attempt to commit abortion in San Joaquin County during October, 1946. She served approximately 1 year and 10 months in prison and approximately 1 year and 1 month on parole, being discharged therefrom on September 15, 1949. Certificate of rehabilitation issued March 12, 1952, by the Superior Court of San Joaquin County. Granted December 29, 1952.

WILLIAM E. POPE, San Quentin No. 64266, was convicted of the crime of assault with a deadly weapon in Tulare County during November, 1939. He served approximately 1 year and 6½ months in prison and approximately 2 years and 6 months on parole, being discharged therefrom on December 1, 1943. Certificate of rehabilitation issued December 1, 1950, by the Superior Court of Kern County. Granted April 3, 1952.

HOMER RASEY, San Quentin No. 59286, plead guilty to the crime of attempt to commit incest in Sacramento County during August, 1936. He served approximately 6 years and 2½ months in prison and approximately 6 years and 1½ months on parole, being discharged therefrom on December 13, 1948. Certificate of rehabilitation issued May 23, 1951, by the Superior Court of Alameda County. Granted December 26, 1952.

JOHN REGALIA, San Quentin No. 33224, was convicted of the crime of pimping in the City and County of San Francisco during December, 1919. He served approximately 2 years and 4 months in prison, being discharged therefrom on April 5, 1922. Certificate of rehabilitation issued December 22, 1948, by the Superior Court of the City and County of San Francisco. Granted December 24, 1952.

HAZEL SATTERFIELD, Tehachapi No. 687, plead guilty to the crime of burglary second degree in San Luis Obispo County during March, 1943. She served approximately 1 year and 8 months in prison and approximately 2 years and 4½ months on parole, being discharged therefrom on April 6, 1947. Certificate of rehabilitation issued July 24, 1952, by the Superior Court of Sacramento County. Granted December 26, 1952.

MANGAL SINGH, San Quentin No. 51723, was convicted of the crime of attempt sodomy in Fresno County during March, 1932. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on October 8, 1935. Certificate of rehabilitation issued April 23, 1951, by the Superior Court of Fresno County. Granted April 3, 1952.

ARTHUR SMOOT, San Quentin No. 47310, plead guilty to the crime of manslaughter in Alameda County during July, 1929. He served approximately 2 years and ½ month in prison and approximately 2 years and 4½ months on parole, being discharged therefrom on December 17, 1933. Certificate of rehabilitation issued November 23, 1951, by the Superior Court of Alameda County. Granted December 24, 1952.

F. E. TAYLOR, San Quentin No. 60163, plead guilty to the crime of grand theft in San Diego County during March, 1937. He served approximately 4 years and 8½ months in prison and approximately 1 year and 4 months on parole, being discharged therefrom on May 1, 1943. Certificate of rehabilitation issued July 9, 1946, by the Superior Court of the City and County of San Francisco. Granted December 29, 1952.

KENNETH THORPE, San Quentin No. 69425 and Chino No. 1248, was convicted of the crime of perjury and prior felony conviction in Los Angeles County during February, 1943. He served approximately 1 year and 5½ months in prison and approximately 2 years and 9 months on parole, being discharged therefrom on April 22, 1947. Certificate of rehabilitation issued September 17, 1951, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 29, 1952.

KATHRYN TRUDRUNG, Tehachapi No. 623, was convicted of the crime of manslaughter in Los Angeles County during November, 1941. She served approximately 1 year and 1½ months in prison and approximately 1 year and 2½ months on parole, being discharged therefrom on March 4, 1944. Certificate of rehabilitation issued September 28, 1949, by the Superior Court of the City and County of San Francisco. Granted April 1, 1952.

GEORGE D. VAN HOOSER, San Quentin No. 48465, and Folsom Nos. 18098 and 19424, was convicted of the crime of burglary second degree in Los Angeles County during May, 1930. He served approximately 1 year and 7 months in prison, being released on parole December 3, 1931. During October, 1932, Van Hooser was convicted of the crime of driving car without owner's consent (violation of Section 146 of the California Vehicle Act) in Alameda County and was given an additional sentence which was to commence upon completion of his previous term for which he was returned to State prison as a parole violator. He served approximately 5 years and 1 month in prison, being discharged therefrom on November 3, 1937. Certificate of rehabilitation issued July 20, 1951, by the Superior Court of Santa Clara County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 8, 1953.

ROBERT WILLIAM VAN WART, San Quentin No. 63144, plead guilty to the crime of robbery first degree in San Diego County during February, 1939. He served approximately 2 years and 6½ months in prison and approximately 2 years and 6



months on parole, being discharged therefrom on March 11, 1941. Certificate of rehabilitation issued April 22, 1949, by the Superior Court of San Diego County. Granted April 1, 1952.

JOHN VAQUILAR, San Quentin No. 49886, was convicted of the crime of robbery first degree in Lassen County during March, 1931. He served 3 years and 7 months in prison, being discharged therefrom on October 17, 1934. Certificate of rehabilitation issued April 9, 1952, by the Superior Court of Fresno County. Granted December 24, 1952.

JOHN WESTMORELAND, San Quentin No. 59784, plead guilty to the crime of burglary second degree in Fresno County during January, 1937. He served approximately 2 years and 11 months in prison and approximately 2 years and 1 month on parole, being discharged therefrom on December 27, 1941. Certificate of rehabilitation issued June 23, 1952, by the Superior Court of Matiposa County. Granted December 24, 1952.

WILLIAM O. WHEELER, San Quentin No. 54747, was convicted of the crime of robbery first degree in Sacramento County during September, 1933. He served approximately 3 years and 1 month in prison and 2 years on parole, being discharged therefrom on October 14, 1938. Certificate of rehabilitation issued May 19, 1950, by the Superior Court of Sacramento County. Granted December 26, 1952.

**Granted without reference to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, after favorable recommendations:**

SANDRA ALMENAR, also known as Manuela Paz Botts, Los Angeles Police Department No. 43598, was convicted of the crime of petty theft in Los Angeles County during September, 1941. She received a suspended sentence of 180 days and was placed on probation for a period of 1 year. On October 14, 1941, she plead guilty to the crime of petty theft in Los Angeles County and was committed on November 28, 1941, to serve 180 days in the Los Angeles County Jail. Probation previously granted was revoked and an additional 180 days imposed thereon, the two sentences to run concurrently. On March 9, 1942, Sandra Almenar, also known as Manuela Paz Botts, was released from the Los Angeles County Jail and surrendered to the United States Immigration authorities for deportation to Mexico. Pardon recommended by the Adult Authority. Granted December 29, 1952.

NATALIA ALVAREZ, Los Angeles Police Department No. 127547, plead guilty to the crime of petty theft in Los Angeles County during December, 1948. She was ordered to pay a fine of \$100.00. Pardon recommended by the Adult Authority. Granted December 24, 1952.

AUGUSTUS S. ANGUS, San Quentin No. 63963, was convicted of the crime of robbery first degree in San Diego County during August, 1939. He served approximately 2 years and 6 months in San Quentin prison and approximately 2 years and 11 months on parole, being discharged therefrom on April 28, 1944. Pardon recommended by Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted April 1, 1952.

ROBERT G. BEDDOME, Los Angeles Police Department No. 26869 M-1, plead guilty to the crime of forgery, 5 counts, in Los Angeles County during February, 1928. He served approximately 11 months in the Los Angeles County Jail, or until January 14, 1929, on which date he was released for deportation to Canada. Pardon recommended by the Adult Authority. Granted December 30, 1952.

OREN BERNHEIM, San Quentin No. 38948, plead guilty to the crime of forgery in San Diego County during January, 1924. He served approximately 1 year and 93 months in prison and approximately 11 months on parole, being discharged therefrom on October 3, 1926. Pardon recommended by the Adult Authority. Granted April 1, 1952.

OSCAR A. BOWERS, San Quentin No. 36145, was convicted of the crime of murder first degree in Los Angeles County during April, 1921, and received a life sentence. He served 10 years and 6 months in prison and was released on parole September 27, 1932. Pardon recommended by the Adult Authority. Granted January 8, 1953.

ALBINO CASILLAS, San Quentin No. 21485, was convicted of the crime of second degree murder in Calaveras County during February, 1906. He served approximately 4 years and 9 months in prison and approximately 4 years and 7 months on parole, being discharged therefrom on July 7, 1915. Pardon recommended by the Adult Authority. Granted December 24, 1952.

WILLIAM J. DEEGAN, San Quentin No. 37718, plead guilty to the crime of robbery in Los Angeles County during April, 1923. He served 1 year and 7 months in prison and 1 year and 42 months on parole, being discharged therefrom on April 14, 1926. Pardon recommended by the Adult Authority. Granted December 24, 1952.

MEENA HILL, Tehachapi No. 57499, was convicted of the crime of arson in Alameda County during March, 1935. She served approximately 2 years and 5 months in prison and approximately 1 year and 7 months on parole, being discharged therefrom on March 31, 1939. Pardon recommended by the Adult Authority. Granted April 5, 1952.



WELBY L. HUNT, San Quentin No. 45049, was convicted of the crime of murder first degree in Los Angeles County during March, 1928, and received a life sentence. He served 11 years in prison and was released on parole March 17, 1939. Pardon recommended by the Adult Authority. Granted December 24, 1952.

SARAH KATZ, Oakland Police Department No. 60645, was convicted of the crime of violation of Section 484 of the Penal Code (petty theft) in Alameda County on February 4, 1946. She was fined \$50.00 for this offense. Pardon recommended by the Adult Authority. Granted April 3, 1952.

FRANCIS JOSEPH KENNOY, San Quentin No. 47098, plead guilty to the crime of murder first degree in Los Angeles County during May, 1929, and received a life sentence. He served 10 years in prison and was released on parole May 25, 1939. Executive clemency recommended by Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted April 3, 1952.

ANTONE LEUA, also known as ANTONIO LENA, San Quentin No. 30822, plead guilty to the crime of murder first degree in Solano County during July, 1917, and received a life sentence. He served approximately 16 years and 1 month in prison and was released on parole September 6, 1933. Executive clemency recommended by Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted April 3, 1952.

CHARLES LONG, Folsom No. 9105, plead guilty to the crime of murder first degree in Sacramento County during April, 1914, and received a life sentence. He served approximately 10 years and 3 months in prison and was released on parole July 18, 1924. Executive clemency recommended by Fred Finsley, Chief State Parole Officer, C. J. Hueckstein, Chief Parole Officer, Board of Pardons and Pardon, Honolulu, Territory of Hawaii, and the Adult Authority. Granted April 3, 1952.

JOHN HENRY NEUFELD, Kern County Jail No. 7411, plead guilty to the crime of rape in Kern County during November, 1933. He was sentenced to serve 1 year in the county jail, being discharged therefrom on November 17, 1934. Pardon recommended by the Adult Authority. Granted December 30, 1952.

JOSEPH R. PATRICK, San Quentin No. 64332, plead guilty to the crime of murder second degree in the City and County of San Francisco during December, 1939. He served approximately 2 years and 10 months in prison and approximately 3 years and 7 months on parole, being discharged therefrom on May 10, 1946. Pardon recommended by Michael E. Mitchell, former Chief of Police, San Francisco, and the Adult Authority. Granted December 30, 1952.

MINNIE RODERICK, San Quentin No. 49159, was convicted of the crime of murder first degree in San Mateo County during October, 1930, and received a life sentence. She served approximately 9 years and 2 months in prison and was released on parole on December 20, 1939. Pardon recommended by Edmund Scott, Judge of the Superior Court of San Mateo County, Louis B. DeMatteis, District Attorney of San Mateo County, S. D. Wood, Chief of Police, Redwood City and the Adult Authority. Granted December 24, 1952.

CARLOS M. VELASCO, Los Angeles County Jail No. 68411, plead guilty to the crime of petit larceny in Los Angeles County during December, 1926. He was sentenced to serve 2 months in the county jail. Pardon recommended by C. B. Horrall, former Chief of Police, Los Angeles, and the Adult Authority. Granted April 1, 1952.

## COMMUTATIONS OF SENTENCE

M. V. BOWLES, San Quentin No. 35007 and Folsom Nos. 13008 and 15722, was convicted of the crime of grand larceny in Orange County during June, 1921. He served 1 year and 6 months in prison, until December 8, 1922, on which date he was released on parole. However, parole was revoked as a result of his having been convicted of burglary in San Bernardino County during March, 1924, and he was sentenced to Folsom prison. He served 4 years and 3 months in prison and 6 months on parole, until December 14, 1928. During April, 1929, Bowles was convicted in Riverside County of the crime of issuing check without sufficient funds and prior convictions of burglary and grand larceny. He was adjudged an habitual criminal and given a life sentence. He served 12 years and 2 months in prison, or until his release on parole, which was June 9, 1941. Commutation of sentence to time served recommended by a majority of the Justices of the California Supreme Court, John E. Chadwick, former Chief State Parole Officer, and the Adult Authority. Commutation of sentence to time served granted January 8, 1953.

LAWRENCE BURRIS, San Quentin No. 37290, was convicted of the crime of murder first degree in Del Norte County during January, 1923, and received a life sentence. He served 12 years and 6 months in prison or until his release on parole, which was July 9, 1935. Commutation of sentence to time served recommended by a majority of the Justices of the California Supreme Court, Thomas H. Pendergast, former Acting Chief State Parole Officer, and the Adult Authority. Commutation of sentence to time served granted December 30, 1952.

JAMES F. COOK, San Quentin No. 26977, plead guilty to the crime of murder first degree in Los Angeles County during November, 1913, and received a life sentence. He served approximately 10 years and 7½ months in prison or until his release on parole, which was July 7, 1924. On February 13, 1926, Cook was returned to prison for medical attention. He served 3 years and 4 months further in prison, or until June 14, 1929. Commutation of sentence to time served recommended by the Adult Authority. Commutation of sentence to time served granted January 8, 1953.

LEONARD RILEY COOPER, Chino No. A-19939, plead guilty to the crime of grand theft in El Dorado County during January, 1952, and was given a sentence of 1 to 10 years. Executive clemency recommended by the Adult Authority, and Robert E. Roberts, District Attorney of El Dorado County. Commutation of sentence to time served granted November 14, 1952.

JOHN MOSS, San Quentin No. 30092, was convicted of the crime of murder first degree in Santa Clara County during November, 1916, and received a life sentence. He served approximately 11 years and 1 month in prison or until his release on parole, which was December 20, 1927. Commutation of sentence to time served recommended by Fred Finsley, Chief State Parole Officer, N. J. Menard, District Attorney of Santa Clara County, and the Adult Authority. Commutation of sentence to time served granted December 24, 1952.

JOHN SIELEST, San Quentin No. 38175 and Folsom No. 12780, was convicted of the crime of murder first degree in Los Angeles County during September, 1922, and received a life sentence. He served 19 years and 10 months in prison or until his release on parole, which was May 10, 1943. Commutation of sentence to a term of 30 calendar years recommended by the Adult Authority. Executive clemency recommended by a majority of the Justices of the California Supreme Court. Commutation of sentence to 30 calendar years granted December 29, 1952.

Message read, and ordered printed in the Journal.

### RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

#### Senate Resolution No. 60

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1953 Regular Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Abshire, F. Presley	Sonoma	228	\$11 40
Berry, Swift	Eldorado	100	5 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Buseh, Burt W.	Lake	320	16 00
Byrne, Paul L.	Butte	202	10 10
Collier, Randolph	Siskiyou	590	29 50
Coombs, Nathan F.	Napa	122	6 10
Cunningham, James E.	San Bernardino	1,016	50 80
Desmond, Earl D.	Sacramento	22	1 10
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Erhart, A. A.	San Luis Obispo	666	33 30
Grunsky, Donald L.	Santa Cruz	436	21 80
Hatfield, George J.	Merced	236	11 80
Hoffman, Verne W.	San Joaquin	68	3 40
Hulse, Ben	Imperial	1,206	60 30
Johnson, Ed. C.	Yuba	106	5 30
Johnson, Harold T.	Placer	38	1 90
Kraft, Fred H.	San Diego	1,146	57 30
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCarthy, John F.	Marin	210	10 50
Montgomery, Robert I.	Kings	428	21 40
Murdy, John A., Jr.	Orange	878	43 90
Parkman, Harry L.	San Mateo	222	11 10
Powers, Harold J.	Modoc	832	41 60
Regan, Edwin J.	Trinity	434	21 70
Sutton, Louis G.	Colusa	150	7 50

Senators	County	Mileage	Total at 5 cents per mile
Tenney, Jack B.	Los Angeles	894	\$44 70
Thompson, John F.	Santa Clara	256	12 80
Ward, Clarence C.	Santa Barbara	920	46 00
Way, A. W.	Humboldt	624	31 20
Williams, J. Howard	Tulare	468	23 40
			Total at 10 cents per mile
Officers	County	Mileage	
Knight, Goodwin J., President	Los Angeles	894	\$89 40
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

### Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.  
NOES—None.

### By Senator Hatfield:

#### Senate Resolution No. 61

*Resolved*, That the President of the Senate appoint a special Committee of Three to notify the Governor that the Senate has reconvened the 1953 Regular Session, after the constitutional recess, pursuant to Senate Concurrent Resolution No. 21, and is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Hatfield, adopted.

#### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Hatfield, Burns, and Mayo.

### By Senator Grunsky:

#### Senate Resolution No. 62

*Resolved*, That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate has reconvened the 1953 Regular Session, after the constitutional recess, pursuant to Senate Concurrent Resolution No. 21, and is now ready to proceed with the business of the State.

Resolution read, and on motion of Senator Grunsky, adopted.

#### Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Grunsky, Berry, and Montgomery.

### By Senator Powers:

#### Senate Resolution No. 63

Relative to the passing of Mary Alice Nolan

WHEREAS, Mary Alice Nolan, beloved wife of the Honorable Joseph F. Nolan, Sergeant-at-Arms of the Senate of the State of California, passed from this life on the twelfth of February, 1953, in her home city of Los Angeles, California, and

WHEREAS, Since the year 1923 when the Honorable Joseph F. Nolan was first elected to the office of Sergeant-at-Arms of the Senate, an office the duties of which he has discharged so faithfully and well through all these years, Mrs. Nolan has been known to the Members of the Senate and their families and hosts of friends as the affectionate and faithful life companion of our highly esteemed Sergeant-at-Arms, and

WHEREAS, Mary Alice Nolan was a woman of sterling character, great personal charm, kindness and conviviality, and was highly regarded by members of the Pal's Club and others who had the good fortune to know her; now, therefore, be it

*Resolved*, by the Senate of the State of California, That the members of this body deplore the passing of so fine a woman as Mrs. Nolan, and extend their most sincere sympathy to her bereaved husband, and be it further



*Resolved.* That the Secretary of the Senate is hereby directed to present an engrossed copy of this resolution to the Honorable Joseph F. Nolan, Sergeant at Arms of the Senate, as a lasting token of the sympathy the members of this body feel for him in his great bereavement.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—35.

#### MESSAGES FROM THE ASSEMBLY

At 12.15 p.m. a committee from the Assembly consisting of Messrs. Kelly, Mummell, and Hobbie appeared at the bar of the Senate and announced that the Assembly was duly organized and ready to proceed with the business of State.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

*To the Honorable Members of the Senate  
State of California  
Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within ten days after the meeting of the Legislature, the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made.

Respectfully,

EARL WARREN, Governor

WELDON L. OXLEY, a resident of Redding, presently in the general insurance business, foreman of the Shasta County Grand Jury, was appointed member of the Fish and Game Commission February 3, 1953, vice Paul Denny, term expired.

DR. ROBERT DAVIS GRAY, a resident of Pasadena, professor of Economics and Industrial Relations, California Institute of Technology, was reappointed member of the State Personnel Board, February 10, 1953, vice self, term expired.

GUILFORD H. WHITNEY, a resident of San Diego, bank executive, president of the San Diego Y. M. C. A., past president of the San Diego Community Chest, was appointed member of the State Park Commission February 16, 1953, vice George A. Scott, resigned.

GENERAL LEROY P. HUNT, Ret., a resident of Menlo Park, attended University of California 1911-13; member, Commission on Organized Crime 1951-52; former Commanding General, U. S. Marine Corps, Department of the Pacific, 1947-49, was appointed Building and Loan Commissioner February 21, 1953, vice Frank C. Mortimer, resigned.

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

DR. ROBERT DAVIS GRAY, a resident of Pasadena; professor of economics and industrial relations, California Institute of Technology, since 1942; a member of the State Personnel Board since April, 1944; was reappointed, effective February 10, 1953, as member, State Personnel Board, vice self, term expired as interim appointee pursuant to Section 1774 of the Government Code;

to the State Personnel Board, vice self, for the term prescribed by law, ending January 15, 1963.



WELDON L. OXLEY, a resident of Redding; presently engaged in general insurance business; foreman of the Shasta County Grand Jury; was appointed, effective February 3, 1953, as member of the Fish and Game Commission, vice Paul Denny, term expired, as interim appointee pursuant to Section 1774 of the Government Code; to the Fish and Game Commission, vice self, for the term prescribed by law, ending January 15, 1959.

GUILFORD H. WHITNEY, a resident of San Diego; bank executive; president of the San Diego Y.M.C.A.; past president of the San Diego Community Chest; was appointed, effective February 16, 1953, as member of the State Park Commission, vice George A. Scott, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1956.

Respectfully,

EARL WARREN, Governor

Message read, and ordered referred to the Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

GENERAL LEROY P. HUNT, Ret., a resident of Menlo Park; attended University of California, 1911-13; Member, Commission on Organized Crime, 1951-52; former Commanding General, U. S. Marine Corps, Department of the Pacific, 1947-49; was appointed, effective February 21, 1953, as Building and Loan Commissioner, vice Frank C. Mortimer, resigned, as interim appointee pursuant to Section 1774 of the Government Code;

to Building and Loan Commissioner, vice self, for the term at the pleasure of the Governor.

Respectfully,

EARL WARREN, Governor

Message read, and referred to the Committee on Rules.

#### REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received:

Senators Hatfield, Burns, and Mayo, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Grunsky, Berry, and Montgomery, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

#### ADJOURNMENT

At 12.25 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, February 25, 1953, out of respect to the memory of the late Mary Alice Nolan.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTEENTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, February 25, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. H. C. Fellers of the First Christian Church.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers.

Senator Miller, on motion of Senator Powers.

Senator O'Gara, on motion of Senator Powers.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank Gibson, supervisor of San Diego County.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stuart Gibbons of Stockton.

On the request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. S. O. J. Evans of Los Angeles and Rev. J. S. Sutton of Stockton.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. Clarence Schutte, USAF, of Santa Barbara.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Michael McCallion of Cleveland, Ohio.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION,  
STATE CAPITOL, SACRAMENTO, CALIFORNIA  
February 25, 1953

Hon. Harold J. Powers,  
Chairman, Rules Committee,  
State Senate,  
Sacramento, California

DEAR SIR: In compliance with the rules of the Legislature, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

#### Approved for Press Cards

Fresno Bee and Modesto Bee.....Gordon Nelson  
Sacramento Bee.....Robert M. Blanchard

Very truly yours,

EARL C. BEHRENS, President  
RICHARD RODDA, Secretary

Standing Committee:

Morrie Landsburg, *Associated Press*  
Neil Shaw, *International News Service*  
James C. Anderson, *United Press*

#### REPORTS OF STANDING COMMITTEES

##### Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Senate Bill No. 303

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Business and Professions.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill re-referred to Committee on Business and Professions.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Senate Bill No. 1343

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were re-referred:

Senate Bill No. 404  
Senate Bill No. 405

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2

KRAFT, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1437

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 308

Senate Bill No. 377

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

Committee membership 9; committee vote: Ayes 8; absent 1.

KRAFT, Chairman

Above reported bills re-referred to Committee on Judiciary.

### RESOLUTIONS

The following resolutions were offered:

By Senator Weybret:

#### Senate Resolution No. 64

Relative to the continuance of the Senate Interim Committee on Social Welfare

*Resolved by the Senate of the State of California, as follows:*

1. The Senate Interim Committee on Social Welfare created by Senate Resolution No. 181 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment. The committee shall file the final report of the studies made by it prior to the adoption of this resolution by the date specified for such final report in Senate Resolution No. 181 of the 1951 Session, but may file supplemental reports of studies made pursuant to this resolution at any time until the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senators Collier, Weybret, and Williams:

#### Senate Resolution No. 65

Relative to a study of the communication system of the Department of the California Highway Patrol

WHEREAS, It is in the best interests of the people of the State of California that the functions of the government of the State be performed in the most efficient manner; and

WHEREAS, The Department of the California Highway Patrol has under its control at the present time an extensive communication system which is not operating at maximum efficiency, and it is felt, in line with the above-stated policy, that a study of the operation of said communication system by a public utility long experienced

in the operation of similar systems might result in enabling the department to operate a more efficient communication system; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Pacific Telephone and Telegraph Company be requested to cooperate with the Senate Finance Committee in making a study of the radio and communication needs of the Department of the California Highway Patrol, at no cost to the State, and to report its findings to the Legislature not later than June 1, 1953, and that all state agencies having communications equipment are hereby requested to cooperate with the Pacific Telephone and Telegraph Company in such study; and, be it further

*Resolved*, That the Secretary of the Senate be directed to transmit a copy of this resolution to Mr. M. R. Sullivan, president of the Pacific Telephone and Telegraph Company.

Resolution read, and referred to Committee on Rules.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1228

Senator Byrne moved that Senate Bill No. 1228 be withdrawn from Committee on Education for purpose of amendment and re-referred to Committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1228**—An act to amend Section 12025 of the Education Code, relating to accreditation of teacher education institutions.

##### Motion to Amend

Bill read second time.

Senator Byrne moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, in line 1 of the title of the printed bill, strike out "amend Section 12025 of", and insert "add Section 20342.1 to".

##### Amendment No. 2

On page 1 of the printed bill, strike out all of lines 1 through 8, and insert "SECTION 1. Section 20342.1 is added to the Education Code, to read: 20342.1. The Director of Education shall, from any moneys appropriated for the support and maintenance of a state college, pay the necessary expenses of individuals assigned by accreditation associations or organizations to investigate and evaluate a college for purposes of accreditation and to pay the fees required by accreditation associations or organizations for each college accredited by or belonging to each such association or organization."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1230

Senator Byrne moved that Senate Bill No. 1230 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1230**—An act to amend Section 21159 of the Education Code, relating to refunds of student fees in state colleges.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 1 of the title of the printed bill, strike out "Section", and insert "Sections 21155.1 and".

**Amendment No. 2**

On page 1, line 2 of the title of the printed bill, strike out "refunds of student fees in state colleges", and insert "tuition fees and refunds for California Maritime Academy".

**Amendment No. 3**

On page 1, line 3, strike out "any".

**Amendment No. 4**

On page 1, line 7, after "student.", insert "Any student who is upon enrollment presumed not to qualify for financial assistance from the Federal Government or other governmental agency and therefore pays the tuition fee of students not so qualified but is subsequently found to qualify for such assistance shall receive a refund in the amount of the difference between the tuition paid by him and the tuition required of students qualified to receive such assistance."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 5**

On page 1, after line 8, insert

"SEC. 2. Section 21155.1 of said code is amended to read:

21155.1. The tuition fee required of a pupil under Section 21155 may be reduced by the board of governors, with the approval of the Department of Education and the Department of Finance, in the amount received by the State on account of such student from the Federal Government or other governmental agency. Money received from such payments shall be transmitted to the State Treasury as credit to the academy's support appropriation [of the fiscal year for which said charges accrued] *current at the date of issuance of the State Controller's receipt thereof as may be designated by the academy prior to its deposit in the State Treasury.* Such moneys so credited are hereby appropriated for the support of the academy. *Any student who is upon enrollment presumed to qualify for financial assistance from the Federal Government or other governmental agency and therefore pays the tuition fee of students so qualified but is subsequently found not to qualify for such assistance shall thereupon be required to pay additional tuition in an amount that will make the total tuition paid by the student equal to tuition required of students not qualified for financial assistance from the Federal Government or other governmental agency. Money so received shall be transmitted to the State Treasury and be credited to the appropriation of the academy as hereinbefore provided.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL AND RE-REFERENCE OF  
SENATE BILLS NOS. 242 AND 243**

Senator Byrne moved that Senate Bills Nos. 242 and 243 be withdrawn from Committee on Institutions and referred to Committee on Judiciary.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

JAMES H. BURKE, a resident of Oakland; Fire Chief, City of Oakland Fire Department;

to the State Fire Advisory Board, vice William A. Meinheit, resigned, for the term prescribed by law, ending at the pleasure of the Governor.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

JOSEPH A. RAWLS, a resident of Lemon Grove; business executive; was appointed (original appointment), effective February 24, 1953;

to the Board of Trustees, Porterville State Home, for the four year term prescribed by law.

CLIFF C. DRISKELL, a resident of Hanford; businessman; was appointed (original appointment), effective February 24, 1953;

to the Board of Trustees, Porterville State Home, for the four year term prescribed by law.

WILLIAM MCCARTHY THORNTON, a resident of Exeter; attorney at law; active in civic organizations; was appointed (original appointment), effective February 24, 1953;

to the Board of Trustees, Porterville State Home, for the four year term prescribed by law.

MRS. LILLIAN E. MATHIAS, a resident of Tulare; housewife; active in civic and club affairs; was appointed (original appointment), effective February 24, 1953;

to the Board of Trustees, Porterville State Home, for the four year term prescribed by law.

MRS. ELEANOR M. JONES, a resident of Porterville; active in church and civic affairs; was appointed (original appointment), effective February 24, 1953;

to the Board of Trustees, Porterville State Home, for the four year term prescribed by law.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 789

Senator Desmond moved that Senate Bill No. 789 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 789**—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendment:

#### Amendment No. 1

On page 2 of the printed bill, lines 6 and 7, strike out the words "that neither the plaintiff nor the defendant is domiciled in this State and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1574**

Senator Desmond moved that Senate Bill No. 1574 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1574**—An act to add Section 1252.1 to the Code of Civil Procedure, relating to awards in eminent domain actions.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

In line 5 of the printed bill, strike out the comma, and insert "or as of the date of any order permitting the plaintiff to take immediate possession, whichever first occurs."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered:

**Senate Concurrent Resolution No. 35:** By Senator Abshire—Relative to the powers of the California Toll Bridge Authority.

Referred to Committee on Transportation.

**Senate Concurrent Resolution No. 36:** By Senators Regan and Harold T. Johnson—Relative to transfer of the Central Valley Project.

Referred to Committee on Governmental Efficiency.

**Senate Joint Resolution No. 17:** By Senator Collier—Relative to motor vehicle fuel taxes collected by the Federal Government.

Referred to Committee on Transportation.

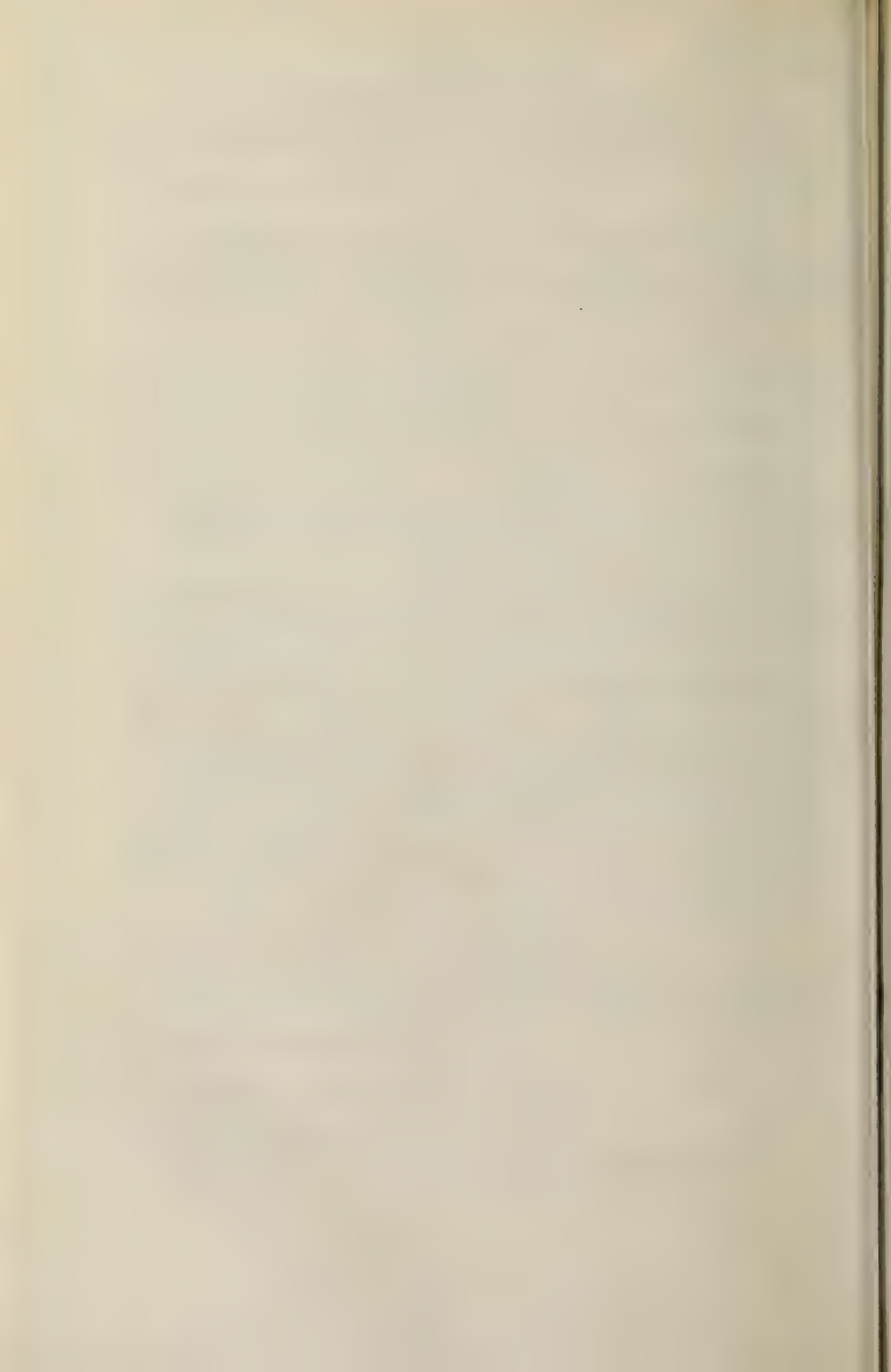
**Senate Joint Resolution No. 18:** By Senators Collier, Mayo, Berry, Powers, Regan, Harold T. Johnson, Ed. C. Johnson, and Brown—Relative to smuggling of gold out of the United States.

Referred to Committee on Natural Resources.

**ADJOURNMENT**

At 2.10 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., February 26, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Thursday, February 26, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—35.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Brown.

Senator Dorsey, on motion of Senator Brown.

Senator Thompson, on motion of Senator Abshire, due to legislative business.

Senator Hoffman, on motion of Senator Abshire, due to legislative business.

Senator Erhart, on motion of Senator Abshire, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carl W. McCollister, Madera County Supervisor; Harry P. Schmidt, Supervisor, District 4,

of Merced County, and Glenn M. Fountain, Supervisor, District 1, of Merced County.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Dwight Littleton of San Bernardino, Calif.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Phil Rowe of Watsonville, and Mr. and Mrs. Gus Wahlberg of Santa Cruz County.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

#### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

**BERNARD R. CALDWELL**, a resident of Los Angeles; Deputy Chief of Police of Los Angeles since 1941; specialist in traffic law enforcement; graduate of Northwestern University Traffic Institute; Secretary of the Los Angeles County Peace Officers Traffic Council; Chairman of motor vehicle legislative committees of the California Peace Officers Association and of the Los Angeles County Peace Officers Association; Director of the Greater Los Angeles Chapter of the National Safety Council;

as Commissioner of the California Highway Patrol, vice Clifford E. Peterson, deceased, for the term at the pleasure of the Governor.

Respectfully,

**EARL WARREN**, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 24, 1953

#### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

**MILTON E. RAMELLI**, a resident of Ventura; civil engineer;

to the Board of Trustees, Camarillo State Hospital, vice W. D. Bannister, term expired, for the term prescribed by law, ending four years from the date of the commission.

**MIKE VUJOVICH**, a resident of Oxnard; rancher; Member of the Board of Trustees, Camarillo State Hospital since April 21, 1944;

to the Board of Trustees, Camarillo State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

**EARL WARREN**, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

#### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

**WHITFIELD GRIFFITHS**, a resident of Napa; Publisher;

to the Board of Trustees, Napa State Hospital, vice Edwin R. Hennessey, deceased, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

**EARL WARREN**, Governor

Message read, and referred to Committee on Rules.



STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

ALFRED P. CHAMIE, a resident of Pacific Palisades; attorney at law; veteran of World War II; Member of the California Veterans Board since December 22, 1952; to the California Veterans Board, vice self, term expired, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 30

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered enrolled.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 844**

Senator Coombs moved that Senate Bill No. 844 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 844**—An act to add Section 26543 to the Government Code, relating to the district attorney.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "the district attorney", and insert "district attorneys and county counsels".

**Amendment No. 2**

On page 1, line 3, after "attorney", insert "or county counsel".

**Amendment No. 3**

On page 1, line 4, after "action", strike out "as", and insert "or".

**Amendment No. 4**

On page 1, line 5, after "city", insert ", district, or political subdivision of the State".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 194**

Senator Coombs moved that Senate Bill No. 194 be withdrawn from Committee on Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 194**—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time.

## Motion to Amend

Senator Coombs moved the adoption of the following amendment:

## Amendment No. 1

On page 1, line 22, of the printed bill, after the period, insert "A copy of each deed of conveyance executed and delivered by the Director of Finance shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Institutions.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1026

Senator Tenney moved that Senate Bill No. 1026 be withdrawn from Committee on Judiciary and referred to Committee on Water Resources.

Motion carried.

Secretary J. A. Beek at the Desk

## RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

## Senate Resolution No. 66

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1953 Regular Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Gibson, Luther E.	Solano	112	\$5.60
O'Gara, Gerald J.	San Francisco	180	9.00
Weybret, Fred	Monterey	484	24.20

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

By Senator Brown:

## Senate Resolution No. 67

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly seven days per week, beginning Tuesday, February 24, 1953, and the Controller is hereby directed to draw his warrants in favor of the

respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same :

	<i>Per day</i>
Cleve V. Taylor, <i>Chief Assistant Secretary</i> -----	\$16.50
Leslie W. Miller, <i>Assistant Secretary</i> -----	13.20
Petronella Rollins, <i>Assistant Secretary</i> -----	13.20
Jack Jackson, <i>Assistant Minute Clerk</i> -----	13.20
Molly Jeanne Newington, <i>Assistant Minute Clerk</i> -----	13.20
James E. Heaverside, <i>History Clerk</i> -----	13.20
Edward E. Paine, <i>Indexing Clerk</i> -----	13.20
N. L. Levering, <i>Journal Clerk</i> -----	13.20
Laura D. Prentice, <i>Engrossing-Enrolling Clerk</i> -----	13.20
Florence I. Mason, <i>Stenographer at Desk</i> -----	13.20
R. W. Lyons, <i>Assistant at Desk</i> -----	11.00
Margaret Sweeny, <i>Chief Stenographer</i> -----	12.10
Bertram Silva, <i>Amplifier Operator</i> -----	11.00
Jacqueline Anderson, <i>Assistant Engrossing-Enrolling Clerk</i> -----	11.00
Norva Muse, <i>Assistant Engrossing-Enrolling Clerk</i> -----	11.00

### Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—29.

NOES—None.

### Senator Hatfield Presiding

At 2.25 p.m., Senator George J. Hatfield, Vice Chairman of the Committee on Rules, presiding.

## REPORTS OF STANDING COMMITTEES

### Committee on Local Government

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred :

Senate Bill No. 92

Senate Bill No. 507

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 9; committee vote : Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred :

Senate Bill No. 1321

Senate Bill No. 520

Senate Bill No. 1431

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 9; committee vote : Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

### Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred :

Senate Bill No. 553

Senate Bill No. 620

Senate Bill No. 619

Senate Bill No. 779

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 9; committee vote : Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred,  
Senate Bill No. 622

Has had the same under consideration, and reports the same back with amendments  
with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:  
Senate Bill No. 200

Has had the same under consideration, and reports the same back with the recommen-  
dation: Do pass.

Committee membership 7; committee vote: Ayes 5; noes 1; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:  
Senate Bill No. 1484

Has had the same under consideration, and reports the same back with the recommen-  
dation: Be re-referred to Committee on Local Government.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill re-referred to Committee on Local Government.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:  
Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommen-  
dation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:  
Senate Joint Resolution No. 12

Has had the same under consideration, and reports the same back with the recommenda-  
tion: Be re-referred to Committee on Judiciary.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:  
Senate Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommenda-  
tion: Be re-referred to Committee on Water Resources.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution re-referred to Committee on Water Re-  
sources.



SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 16

Senate Joint Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Agriculture.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution re-referred to Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, February 25, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 1

Senate Joint Resolution No. 4

Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Water Resources.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 899**

Senator Regan moved that Senate Bill No. 899 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 899**—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendment:

**Amendment No. 1**

In line 8 of the printed bill, after the word "Board", insert the words "for a class of positions which perform judicial functions, and", and in line 9 strike out the word "but".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1082**

Senator Regan moved that Senate Bill No. 1082 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to Committee on Revenue and Taxation.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1082**—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, after the period in line 24, insert "In view of the fact that this act will not become law until after the first Monday in March, 1953, it is hereby declared to be the express intention of the Legislature that said amendment shall be effective as of the first Monday of March, 1953, and as to all assessments levied or to be levied on or after said date."

**Amendment No. 2**

On page 2, between lines 24 and 25, insert  
"Sec. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional."

**Amendment No. 3**

On page 2, line 25, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Joint Resolution No. 19:** By Senator Powers—Concerning the restoration to Congress of the fixing of tariffs.

Referred to Committee on Agriculture.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 6, 1953, appointing

DEWITT NELSON to the California State Communications Advisory Board (representing State Fire Services), vice self, for the term prescribed by law, ending December 31, 1956;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes, 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of DeWitt Nelson as a member of the California State Communications Advisory Board.

The President put the question, "Will the Senate confirm and consent to the appointment of DeWitt Nelson?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of DeWitt Nelson as a member of the California State Communications Advisory Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

**MR. PRESIDENT:** The Committee on Rules to which was referred the message from the Governor dated January 14, 1953, appointing

DONALD L. WARNER, to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Donald L. Warner as a member of the California Veterans Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Donald L. Warner?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Donald L. Warner as a member of the California Veterans Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 16, 1953, appointing

BYRON H. ATKINSON, to the State Board of Education, vice self, for the term prescribed by law, ending January 15, 1957;

MAX J. OSSLO, to the State Board of Education, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Byron H. Atkinson and Max J. Osslo as members of the State Board of Education.

The President put the question, "Will the Senate confirm and consent to the appointment of Byron H. Atkinson and Max J. Osslo?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, and Weybret—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Byron H. Atkinson and Max J. Osslo, as members of the State Board of Education.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 5, 1953, appointing

DR. BERENICE I. STONE, to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1954;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Dr. Berenice I. Stone as a member of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Dr. Berenice I. Stone?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Way, Weybret, and Williams—28.

NOES—None.



**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Dr. Berenice I. Stone as a member of the Board of Social Work Examiners.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 15, 1953, appointing:

VERY REVEREND MONSIGNOR THOMAS A. KIRBY, to the Board of Trustees, DeWitt State Hospital, vice C. H. Barker, deceased, for the term prescribed by law, ending four years from the date of the commission;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Very Reverend Monsignor Thomas A. Kirby as a member of the Board of Trustees, DeWitt State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Very Reverend Monsignor Thomas A. Kirby?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Very Reverend Monsignor Thomas A. Kirby, as a member of the Board of Trustees, DeWitt State Hospital.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 13, 1953, appointing

MAURICE J. OSTOMEL, to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1957;

REVEREND RAYMOND J. O'FLAHERTY, to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Maurice J. Ostomel and Rev. Raymond J. O'Flaherty as members of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Maurice J. Ostomel and Rev. Raymond J. O'Flaherty?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—27.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Maurice J. Ostomel and Rev. Raymond J. O'Flaherty, as members of the Board of Social Work Examiners.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 13, 1953, appointing

J. A. GUTHRIE, to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1957;

CHESTER H. WARLOW, to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of J. A. Guthrie and Chester H. Warlow as members of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of J. A. Guthrie and Chester H. Warlow?"

The roll was called, with the following result:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—27.

**NOES**—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of J. A. Guthrie and Chester H. Warlow, as members of the California Highway Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 13, 1953, appointing

MRS. RUTH CHANCE, to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1957;

JOHN C. CUNEO, to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Mrs. Ruth Chance and John C. Cuneo as members of the Social Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Ruth Chance and John C. Cuneo?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Ruth Chance and John C. Cuneo as members of the Social Welfare Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 13, 1953, appointing

ARCHIE L. HOCKING, to the Cemetery Board, vice self, for the term prescribed by law, ending January 15, 1957;

HERBERT R. HARGRAVE, to the Cemetery Board, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Archie L. Hocking and Herbert R. Hargrave as members of the Cemetery Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Archie L. Hocking and Herbert R. Hargrave?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—29.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Archie L. Hocking and Herbert R. Hargrave, as members of the Cemetery Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 6, 1953, appointing

PAUL A. MARIANI, to the Agricultural Prorate Advisory Commission (representing the prune and apricot growers), vice self, for the term prescribed by law, ending January 1, 1957;

IRA REDFERN, to the Agricultural Prorate Advisory Commission (representing the grape growers), vice self, for the term prescribed by law, ending January 1, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Paul A. Mariani and Ira Redfern as members of the Agricultural Prorate Advisory Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Paul A. Mariani and Ira Redfern?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—29.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Paul A. Mariani and Ira Redfern, as members of the Agricultural Prorate Advisory Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 5, 1953, appointing:

CECIL R. GEHR, to the State Fire Advisory Board, vice self, for the term at the pleasure of the Governor;

DWIGHT E. LITTLETON, to the State Fire Advisory Board, vice self, for the term at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman



**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Cunningham moved that the Senate confirm and consent to the appointment of Cecil R. Gehr and Dwight E. Littleton as members of the State Fire Advisory Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Cecil R. Gehr and Dwight E. Littleton?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, Weybret, and Williams—29.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Cecil R. Gehr and Dwight E. Littleton as members of the State Fire Advisory Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 5, 1953, appointing

WILMER M. MORSE, to the State Personnel Board, vice self, for the term prescribed by law, ending January 15, 1959;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Wilmer M. Morse as a member of the State Personnel Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Wilmer M. Morse?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Wilmer M. Morse as a member of the State Personnel Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated January 5, 1953, appointing

RICHARD E. MITTELSTAEDT, to the Public Utilities Commission, vice self, for the term prescribed by law, ending January 1, 1959;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Richard E. Mittelstaedt as a member of the Public Utilities Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Richard E. Mittelstaedt?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Richard E. Mittelstaedt as a member of the Public Utilities Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 5, 1953, appointing

HARLEY E. KNOX to the Fish and Game Commission, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Harley E. Knox as a member of the Fish and Game Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Harley E. Knox?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—27.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Harley E. Knox as a member of the Fish and Game Commission.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 5, 1953, appointing

STANLEY E. MCCAFFREY, to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1955;

ALFRED P. CHAMIE, to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1953;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointments of Stanley E. McCaffrey and Alfred P. Chamie as members of the California Veterans Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Stanley E. McCaffrey and Alfred P. Chamie?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—28.

NOES—None.

**Appointment Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointments of Stanley E. McCaffrey and Alfred P. Chamie as members of the California Veterans Board.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated January 5, 1953, appointing

HEMAN G. STARK, to the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1955;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Chief Assistant Secretary Cleve V. Taylor at the Desk

**CONSIDERATION OF APPOINTMENT BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Heman G. Stark of Los Angeles as a member of the Youth Authority.

The President put the question, "Will the Senate confirm and consent to the appointment of Heman G. Stark?"

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 3.03 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
REPORTS OF STANDING COMMITTEES****Committee on Legislative Representation****SPECIAL SENATE COMMITTEE ON LEGISLATIVE REPRESENTATION**

*President of the Senate*

*California Legislature*

*State Capitol*

*Sacramento, California*

DEAR SIR: I am submitting herewith Progress Report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this Progress Report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

McBRIDE, Chairman

**PROGRESS REPORT OF THE SPECIAL SENATE COMMITTEE  
ON LEGISLATIVE REPRESENTATION**

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

**APPROVED LIST OF ADVOCATES:**

Anderson, P. Arnold, 1625 Russ Bldg., San Francisco

Municipal License Tax Association

Alexander, Frederic L., 601 W. Fifth Street, Los Angeles

Southern California Edison Co.

Ballard, G. W., 844 Pacific Building, San Francisco 3

Brotherhood of Railroad Trainmen

Beaton, R. H., Ferry Building, Terminal Island, Calif.

California Fish Cannery Association, Inc.



- Brown, Edward A., 1342 23d Avenue, San Francisco 22  
California Trailer Park Association
- Cannon, Vern H., Senator Hotel, Sacramento  
California Teamsters Legislative Council
- Carpenter, Richard, Hotel Claremont Bldg., Berkeley  
League of California Cities
- Carr, Francis J., 245 Market Street, San Francisco  
Pacific Gas & Electric Co.
- Chelew, John R., 725 S. Spring, Los Angeles  
Merchants and Manufacturers Association
- Cheshire, Harry V., Jr., 2601 S. Figueroa, Los Angeles  
Automobile Club of Southern California
- Clancy, Ed, 417 S. Hill St., Los Angeles  
California Medical Association
- Claudius, H. G., 822 Sharon Bldg., 55 New Montgomery, San Francisco  
Consolidated Milk Producers for San Francisco
- Collins, Sam L., 115 W. Commonwealth Avenue, Fullerton  
Union Oil Company
- Connolly, Arthur H., Jr., 130 Montgomery Street, San Francisco  
Food Tax Equality Committee
- Davis, J. Allen, 2601 S. Figueroa, Los Angeles  
Automobile Club of Southern California; The Inter-Insurance Exchange of Southern California
- Davis, Roger H., 523 W. Sixth Street, Los Angeles 14  
Association of Motion Picture Producers, Inc.
- Devereux, E. A., 1209 23d Street, Sacramento  
California Association of Chiropodists, Inc.
- Donohue, Robert B., Suite 1603 Central Tower, 703 Market Street, San Francisco  
California Association of Industrial Loan Companies
- Desmond, Charles R., 3352 Sierra Oak Drive, Sacramento  
California Association of Nursing Homes, Sanitariums, Rest Homes and Homes for the Aged
- Desmond, Myrtle Ann, 3352 Sierra Oak Drive, Sacramento  
California Association of Nursing Homes, Sanitariums, Rest Homes and Homes for the Aged
- Dinkelspiel, John Walton, 333 Montgomery St., San Francisco 4  
California State Sheriffs' Association
- Dinkelspiel, Martin J., 333 Montgomery St., San Francisco 4  
California State Sheriffs' Association
- Dinkelspiel, Richard C., 333 Montgomery St., San Francisco 4  
California State Sheriffs' Association
- Edmunds, Louis, Jr., 340 11th St., Richmond  
California State Federation of Teachers
- Elder, True M., 1101 E. Artesia St., Long Beach  
Ocean Fish Protective Association, Inc.

- Evans, James A., 1031 S. Grand, Los Angeles  
California Institute of Social Welfare
- Gardner, Howard, Hotel Claremont Bldg., Berkeley  
League of California Cities
- Genser, Joseph, 340 11th St., Richmond 5  
California State Federation of Teachers (AFL)
- Gibbs, Charles E., 553 36th St., Sacramento  
Associated Farmers of California
- Glass, Mrs. Margaret M., 1147 Fairview Ave., Arcadia  
Challenge Cream and Butter Association
- Graves, Richard, Claremont Hotel Bldg., Berkeley  
League of California Cities
- Groezeninger, Leland B., 400 Montgomery St., San Francisco  
California County Mutual Insurance Association; Occidental Life Insurance Co. of California; Pacific Mutual Life Insurance Co.
- Hadeler, William D., 525 Market St., San Francisco  
California Grocers Association
- Hammell, Irving E., 2811 Capitol Ave., Sacramento  
Allied Printing Trades Legislative Committee
- Harrison, Burdett R., 2624 W. 6th St., Los Angeles  
California Chiropractic Association
- Hendrickson, Jack, 506 15th St., Oakland  
Federated Fire Fighters of California; California Federation of Civil Service Associations
- Hill, William V., 58 Sutter, San Francisco 4  
California Transit Association
- Horan, Raymond E., Courthouse, Oakland  
League of County Employees Association
- Hulick, R. E., Rm. 849, Pacific Bldg., San Francisco  
Brotherhood of Maintenance of Way Employees
- Jones, Kenneth L., Jr., 307 B St., San Mateo  
Kirkbride, Wilson, Harzfeld, Wallace
- Humphreys, John R., 108 N. California St., Stockton  
California Council of Business Schools
- Hawkins, Fredrick H., 225 Bush St., San Francisco  
Canners League of California; Life Insurance Association of America
- Johnston, Reed, 1031 S. Grand, Los Angeles  
California Institute of Social Welfare
- Ketcham, Robert, 1111 S. LaBrea Ave., Inglewood  
Ocean Fish Protective Association
- Keaton, Morgan, 821 Market St., San Francisco  
California Grocers Association
- Keller, Lewis, Hotel Claremont Bldg., Berkeley  
League of California Cities
- Kemper, Winfield Scott, Sacramento Municipal Airport  
Agricultural Aircraft Association, Inc.

- Kracke, Frederick C., 1731 Mt. Diablo Blvd., Walnut Creek  
General Contractors Association of Contra Costa County
- Kramer, Calvin W., 2301 E St., Sacramento  
Brotherhood of Maintenance of Way Employees
- Landels, Edward D., 275 Bush St., San Francisco  
Bankers' Association of California
- Lee, Dr. Thomas, 106 W. 15th St., Chico  
California Chiropractic Association
- Lord, Melvin, 1900 16th St., Sacramento  
National Retail Pet Supply Association, Inc.
- Merrill, Louis S., 1015 24th St., Sacramento  
Western Fairs Association, Inc.
- Minard, Claude, 155 Sansome St., San Francisco  
California Railroad Association
- Morton, Harold C., 1126 Pacific Mutual Bldg., Los Angeles  
Superior Oil Company  
Artists' Managers' Guild  
California Horsemen's Benevolent and Protective Association
- McGinn, Hulda, 988 Market St., Suite 205, San Francisco 2  
California Theaters' Association
- McGlynn, Harold J., 3233 W. Vernon Ave., Los Angeles  
The Pacific Telephone and Telegraph Co.
- McKay, Robert E., 693 Sutter St., San Francisco 2  
California Teachers' Association
- McNally, James B., 705 E. Bay Front, Balboa  
Ocean Fish Protective Association
- McWhinney, W. C., 1200 Edison Bldg., 601 W. 5th St., Los Angeles  
Southern California Edison Co.
- Muhrlin, Vera M., 508 Kentucky St., Vallejo  
California Practical and Undergraduate Nurses Association
- O'Donovan, Patrick J., 3923 W. 6th St., Los Angeles  
California State Apartment Conference
- Oliver, David D., 64 Pine St., San Francisco  
Association of California Insurance Companies
- Pettis, John A., Jr., 900 Court House, 1225 Fallon St., Oakland  
District Attorney of Alameda County
- Phillips, James H., 1831 I St., Sacramento  
C. S. E. A.  
California Association of Driver's License Examiners
- Redwine, Kent, 1618 N. Las Palmas, Hollywood 28  
Association of Motion Picture Producers, Inc.  
Motion Picture Association of America, Inc.  
The Trailer Coach Association
- Reynolds, Harold G., 1331 T St., Sacramento  
California State Builders Exchange; Construction Industry Legisla-  
tive Council

- Robbins, Wesley E., 185 Post St., San Francisco  
California State Nurses' Association
- Rowland, Gilford G., 537 Forum Bldg., Sacramento  
Pacific American Steamship Association; Federated Employees of  
San Francisco
- Rust, Ben, 781 Ventura St., Richmond  
California State Federation of Teachers
- Santos, Frank E., 2525 Stockton Blvd., Sacramento  
Central California District Council of Lumber and Sawmill Workers
- Schumacher, Thomas C., 1298 Wilshire Blvd., Los Angeles  
California Osteopathic Association.
- Seig, Fred C., 247 LaFollette Dr., Los Angeles  
California State Legislative Committee, Order of Railway Conductors  
of America
- Shillito, Robert M., 333 Pine Street, San Francisco  
San Francisco Chamber of Commerce
- Silverberg, Milton H., 110 W. Ocean Blvd., Long Beach  
International Chiropractic Association; Chiropractic Association of  
California; Southern California Association of Applicant Attorneys
- Smith, Harry E., 1950 El Camino Real, San Mateo  
Peninsula General Contractors' and Builders' Association, Inc.
- Stevens, Lawrence C., 621 S. Hope, Los Angeles 17  
Pacific Finance Corp.
- Stuart, C. A., 711 E. Market St., Stockton  
Board of Supervisors of San Joaquin County
- Swing, Ralph, 313 Central Bldg., San Bernardino  
Los Angeles Turf Club, Inc.
- White, Lawrence B., 102 E. Broadway, San Gabriel  
California School Trustees Association, Inc.
- Wilsie, Maurice J., 150 Tamalpais Rd., Fairfax  
California State Federation of Teachers
- Wilson, Ernest A., Kirkbride, Wilson, Harzfeld & Wallace, 307 B St.,  
San Mateo  
Oro Loma Sanitary District; Solvang Sanitary District
- Walker, Henry J., 3716 J St., Sacramento  
Associated Master Barbers and Beauticians of America
- Waring, Archie, 3234 Prentiss St., Oakland  
Central California Radio Council

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1343**—An act to amend Section 1676 of the Health and Safety Code, relating to the care of laboratory animals.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 404**—A bill to amend Section 13204 of Article 1, of Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to cleaning and dry cleaning.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 405**—A bill to amend Section 13399, Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to the installation and operation of dry cleaning machines employing chlorinated hydrocarbon types of cleaning solvent.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1437**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 18, 19, and 20.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1793

Senator Gibson moved that Senate Bill No. 1793 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to Committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1793**—An act to add Section 135 to the Vehicle Code, relating to the mechanical inspection of vehicles.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 135 to", and insert "amend Section 665 of, and to add Section 666 to,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 665 of the Vehicle Code is amended to read:

665. Official Lamp and Brake [Testing] *Adjusting* Stations. (a) The department [may] *shall* license, designate, furnish instructions to and supervise official stations for adjusting headlamps, auxiliary driving, *passing, or* fog lamps [or] *and* other required *or permitted* lamps and *devices* or brakes upon vehicles to conform with the provisions of this code. The department [may] *shall* prescribe the qualifications of any such station and *establish a just and reasonable testing fee not to exceed one dollar and fifty cents (\$1.50)* as a condition of such license and designation and further may

suspend or revoke any such *license and designation* upon determining that the business of such station is improperly conducted or is in *nonconformance with existing regulations of the department*. *The department shall charge an annual fee of fifty dollars (\$50) for such license and designation.*

(b) Whenever any such station upon an inspection or after an adjustment, made in conformity with the instructions of the department, determines that the headlamps, auxiliary driving, *passing, or fog lamps* [or] *and other required or permitted lamps and devices* or the brakes upon any vehicle conform with the requirements of this code, said station shall issue to the owner or operator of such vehicle a certificate of adjustment on a form prescribed by the department which certificate shall contain *such information as may be required by the department* [the date of issuance, the make and registration number of the vehicle, the name of the owner of the vehicle and the official designation of said station].

SEC. 2. Section 666 is added to said code, to read:

666. Annual Inspection of Vehicles. No person shall operate on any highway any vehicle required to be registered hereunder unless within the 12-month period immediately preceding the date of such operation, the vehicle has been inspected and approved at an official station and its headlamps, auxiliary driving, *passing, or fog lamps* and other required or permitted lamps and devices or brakes found to conform to the provisions of this code.

The current certificate issued by the official station shall at all times be displayed in such manner as the department shall by regulation prescribe. Failure to correct the adjustment of headlights and brakes, where found necessary, shall be sufficient grounds for refusal of registration by the Department of Motor Vehicles.

Violation of this section or of the regulations of the department issued hereunder is a misdemeanor.

This section shall have no application to special highway construction equipment, nor to any motor vehicle owned by the State and regularly serviced in a shop or garage under the jurisdiction or control of the State and therein inspected and approved as above provided in this section and displaying a current certificate to that effect issued by said station.

This section shall not apply to passenger stages or trolley coaches subject to the jurisdiction of the Public Utilities Commission.

SEC. 3. This act shall become operative July 1, 1954."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.14 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Heman G. Stark was confirmed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—28.

NOES—None.

#### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Heman G. Stark as a member of the Youth Authority.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1538

Senator Desmond moved that Senate Bill No. 1538 be withdrawn from Committee on Social Welfare for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1538**—An act to amend Section 7.2 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 23, of the printed bill, strike out "7.2b", and insert "7.2c".

**Amendment No. 2**

On page 1, following line 26, of said bill, add thereto

"SEC. 2. The amendment made by Section 1 of this act to Section 7.2 of the Unemployment Insurance Act is hereby declared to be merely a clarification of the original intention of the Legislature, rather than a substantive change. The California Unemployment Insurance Act was enacted as a part of a national plan for the purpose of assisting in the stabilization of employment conditions. It was not enacted to, nor intended to, cover persons not occupying the status of employees."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1232**

Senator Byrne moved that Senate Bill No. 1232 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1232**—An act to add Section 870.5 to the Agricultural Code, relating to olives.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert

"870.5. As to blended sizes of canned ripe olives packed after October 1, 1953, if any of the size names set out below are used, the count per pound, as determined by a representative sample of the olives taken at random from the container, shall be as follows:

"Family"—averaging not less than 91 nor more than 105 to the pound, the blend to contain not more than 15 percent by count of the Standard size grade.

"King"—averaging not less than 45 nor more than 53 to the pound, the blend to contain not more than 15 percent by count of the Mammoth size grade.

"Royal"—not to exceed 34 to the pound. In determining compliance with these size designations of blended olives, there shall be no tolerance from the maximum and minimum counts of each blended size.

When blended sizes of olives are packed, the approximate size of the blended olives in the container shall be shown by a cut or imprint representing a size no larger than the average size in the container; or by cuts or imprints, appearing in combination or in close proximity on the label, of the smallest and largest sizes in the container, with a declaration that the olives in the container range in size between the two sizes shown."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 348**

Senator Desmond moved that Senate Bill No. 348 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 348**—An act to amend Section 60730 of the Government Code, relating to funds of community services districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 60730 of", and insert "add Section 60736 to".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 60736 is added to the Government Code, to read:

60736. Notwithstanding the provisions of Sections 60730 to 60735, inclusive, the board may, in a resolution relating to the issuance of revenue bonds, designate a trustee, fiscal agent or depository to receive the proceeds of sale of said revenue bonds or all or a part of any revenues received or to be received by the district from any enterprise of the district or from any services or facilities furnished or to be furnished the district, all as set forth in such resolution; and in such event Sections 60730 to 60735, inclusive, shall not apply to said proceeds of sale of said bonds or to said revenues, and the trustee, fiscal agent or depository so designated shall receive, hold and disburse said proceeds of sale of said bonds or said revenues upon such terms and conditions as shall be provided in said resolution, which shall prescribe the duties and powers of such trustee, fiscal agent or depository. Any such trustee, fiscal agent, or depository shall be a bank or trust company qualified to do business in the State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 350**

Senator Desmond moved that Senate Bill No. 350 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 350**—An act to amend Section 60683 of the Government Code, relating to bonds of community services districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "in addition to", and strike out lines 4 to 7, inclusive.

**Amendment No. 2**

On page 1, line 8, of said bill, strike out "(c)".



**Amendment No. 3**

One page 1, line 9, of said bill, strike out the period, and on line 10, strike out "(d) At prices determined" and insert "in such amounts and manner and at such prices as the board may prescribe".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 351**

Senator Desmond moved that Senate Bill No. 351 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 351**—An act to amend Section 60673 of the Government Code, relating to bonds of community services districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "Any such bonds, whether", and strike out lines 7 and 8, and insert

"All bonds issued by any district payable from taxes are legal investments for all trust funds, for the funds of all insurance companies, the state school funds, and any funds which may be invested in bonds of cities, counties, cities and counties, school districts, or municipalities in the State.

All revenue bonds issued by any district are subject to investigation by the Districts Securities Commission and, if certified by said commission, pursuant to Division 10 of the Water Code, are legal investments for all trust funds, for the funds of all insurance companies, the state school funds, and any funds which may be invested in bonds of cities, counties, cities and counties, school districts, or municipalities in the State."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 353**

Senator Desmond moved that Senate Bill No. 353 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 353**—An act to amend Section 60621 of the Government Code, relating to community services districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 5 and 6, and insert "and may pledge, place a charge upon, contribute or otherwise make available, as security or additional security for the payment of any revenue bonds issued by the district pursuant to

Section 60613.1 any and all revenues received or receivable from any services or facilities furnished by it, including the services or facilities of any enterprise as said term is defined in Section 60613.1.

A district may provide that charges for any services or facilities shall be collected together with and not separately from the charges for other revenues or facilities rendered by it, and that all charges shall be billed upon the same bill and collected as one item. If all or part of a bill is not paid, the district may discontinue any or all services or facilities for which the bill is rendered.

A district may provide for the collection of charges. Remedies for their collection and enforcement are cumulative and may be pursued alternatively or consecutively as the local agency determines.

A district may provide for a basic penalty of not more than 10 percent for non-payment of the charges within the time and in the manner prescribed by it, and in addition may provide for a penalty of not exceeding one-half of 1 percent per month for nonpayment of the charges and basic penalty. It may provide for collection of the penalties herein provided for."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 354

Senator Desmond moved that Senate Bill No. 354 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 354**—An act to amend Section 60613 of, and to add Section 60613.1 to, the Government Code, relating to bonds of community services districts.

Bill read second time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "for a debt which is self-liquidating", and insert "issued pursuant to Section 60613.1".

#### Amendment No. 2

On page 1 of said bill, strike out lines 13 and 14, and insert "60613.1. Notwithstanding any other provision of this division, a district may authorize, issue and sell revenue bonds pursuant to the provisions of Chapter 6, Part 1, Division 2, Title 5 of this code to provide funds for the acquisition, construction, improving or financing any one or more revenue producing enterprises for any one or more of the purposes specified in Section 60600 for which such district has been formed or which it shall have adopted pursuant to Section 60601, "Enterprise" as used in this section means a revenue producing system, plant, works, or undertaking used for or useful in carrying out any one or more of the purposes specified in Section 60600. Revenue bonds issued and sold pursuant to this section shall not constitute "funded indebtedness" of the district as that term is used in Section 60613 and the limitations of Section 60613 shall not apply to revenue bonds issued pursuant to this section. In connection with the authorization, issue and sale of revenue bonds pursuant to this section and so long as any of such bonds shall remain outstanding, a district may exercise, in addition to the powers conferred by this section, any or all of the powers of local agencies provided for in said Chapter 6, Part 1, Division 2, Title 5 of this code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 356**

Senator Desmond moved that Senate Bill No. 356 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 356**—An act to amend Section 60012 of the Government Code, relating to community services districts.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of title of printed bill, strike out "Section 60012", and insert "Sections 60102, 60103, 60200, and 60201".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 60102 of the Government Code is amended to read:

60102. The petition for formation shall: (a) state the proposed name for the district, (b) set forth the boundaries of the district or describe the lands situated therein, (c) request that a district be formed under the Community Services District Law, (d) state for which of the purposes set forth in Section 60600 of this division the district is to be formed; and (e) state the number of members, either three or five, which the board of directors of the district shall have.

SEC. 2. Section 60103 of said code is amended to read:

60103. The petition shall be signed by registered electors within the proposed district equal in number to at least [15] 10 percent of the number of votes cast in the proposed district [for the Office of Governor] at the general election next prior to the filing of the petition.

SEC. 3. Section 60200 of said code is amended to read:

60200. Each district shall have a board of three or five directors, as stated in the petition for formation, all of whom shall be elected at large.

SEC. 4. Section 60201 of said code is amended to read:

60201. The directors first elected upon the formation of the district shall classify themselves by lot so that the term of office of one of them shall be until the election and qualification of a successor at the first succeeding general district election, and the term of office of two of them shall be until the election and qualification of successors in the second succeeding general district election; provided, that if five directors are first elected on formation of the district they shall classify themselves by lot so that the terms of office of two of them shall be until the election and qualification of successors at the first succeeding general district election, and the terms of office of three of them shall be until the election and qualification of successors in the second succeeding general district election."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 900**

Senator Desmond moved that Senate Bill No. 900 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 900**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54309, 54348, 54349, 54424, 54426, 54478 and 54524 of the Government Code, by adding Sections 54301.1 and 54346.3 to the Government Code, and by repealing Section 54343 of the Government Code, all relating to the authorization, issue and sale of revenue bonds by local agencies.

Bill read second time.

## Motion to Amend

Senator Desmond moved the adoption of the following amendments:

## Amendment No. 1

In line 2 of the title of the printed bill, strike out "amending Sections 54300, 54309, 54348," and strike out lines 3 to 7 inclusive, and insert "amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54348, 54349, 54384, 54420, 54421, 54422, 54423, 54424, 54426, 54427, 54431, 54432, 54434, 54467, 54478, 54513, 54514, 54515, 54516, 54519, 54522, 54524, and 54552 of, adding Sections 54301.1, 54346.3, 54516.1, and 54515 to, and repealing Section 54343 of, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the authorization, issue and sale of revenue bonds by local agencies, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE.—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1, of said bill, between lines 4 and 5, insert

"Sec. 2. Section 54307 of the Government Code is hereby amended to read as follows:

54307. "Local agency" means *any* city, county, city and county, or any municipal or public corporation or district which is authorized to acquire, construct, own, or operate [a sewer system, or a water system, or both] *any enterprise as defined in Section 54309, except irrigation districts.*"

## Amendment No. 3

On page 1, line 5, of said bill, strike out "2", and insert "3".

## Amendment No. 4

On page 2 of said bill, between lines 28 and 29, insert

"Sec. 4. Section 54311 of the Government Code is hereby amended to read as follows:

54311. *Subject to the limitations of Section 54309 and 54310, in any resolution calling an election for the issuance of bonds for acquiring, constructing, improving, or financing any enterprise, the legislative body may define "enterprise" and that definition applies to the bonds authorized at the election.*

Sec. 5. Section 54313 of the Government Code is hereby amended to read as follows:

54313. "Bonds" means bonds issued by a local agency pursuant to this chapter and payable exclusively from revenues of an enterprise *and from any or all of the other funds referred to in Section 54478 upon which the bonds are to be made a charge and from which they are to be payable.*

Sec. 6. Section 54341 of the Government Code is hereby amended to read as follows:

54341. A local agency may construct or improve any enterprise wholly or partially within or wholly without the local agency. By gift, lease, purchase, eminent domain, or otherwise, it may acquire [lands, easements, rights in lands and] *any real or personal property, or any interest in or improvement on any such property, or any water rights for [the] an enterprise, except that no property of a state public body may be acquired without its consent. A local agency may sell, lease, exchange, transfer, assign or otherwise dispose of any real or personal property or any interest in such property. It may lay out, open, extend, widen, straighten, establish or change the grade of any real property or public rights of way necessary or convenient for any enterprise.*



SEC. 7. Section 54342 of the Government Code is hereby amended to read as follows:

54342. A local agency may operate, [and] maintain, *repair, or manage all or any part of any [such] enterprise [for its own use and for public and private use within and without the local agency], including the leasing for commercial purposes of surplus space or other space which it is not economic to use for such enterprise.*

SEC. 8. Section 54344 of the Government Code is hereby amended to read as follows:

54344. A local agency may prescribe, revise, and collect charges for the services, facilities, [and] *or water furnished by the enterprise."*

**Amendment No. 5**

On page 2, line 29, of said bill, strike out "3", and insert "9".

**Amendment No. 6**

On page 2, line 38, of said bill, strike out "4", and insert "10".

**Amendment No. 7**

On page 2 of said bill, between lines 42 and 43, insert

"SEC. 11. Section 54384 of the Government Code is hereby amended to read as follows:

54384. The resolution shall state that the bonds are to be revenue bonds, payable exclusively from the revenues of the enterprise *and from such of the other funds referred to in Section 54478 as shall be specified in the resolution*, and the resolution shall also state that the bonds are not to be secured by the taxing power of the local agency.

SEC. 12. Section 54420 of the Government Code is hereby amended to read as follows:

54420. The bonds are special obligations of the local agency *and are secured by a pledge of and shall be a charge upon*, and [are] *shall be* payable, *as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely* from and secured by a lien upon the gross revenues of the enterprise *and such funds as are described in the resolution authorizing the issuance of the bonds.*

SEC. 13. Section 54421 of the Government Code is hereby amended to read as follows:

54421. By resolution the legislative body may pledge, *place a charge upon*, and assign all or any part of the gross revenues of the enterprise *and of any and all funds referred to in Section 54478* for the security of the bonds. The gross revenues of the enterprise include revenues of improvements and extensions later constructed or acquired and revenues of existing systems, plants, works, or undertakings to be improved or extended or for the improvement or extension of which the bonds are to be issued.

SEC. 14. Section 54422 of the Government Code is hereby amended to read as follows:

54422. The payment of interest *on* and principal of the bonds [is] *and any premiums upon the redemption of any thereof are* secured by an exclusive pledge, charge, and lien upon all of the revenues of the enterprise *and upon such other funds as shall be specified in the resolution authorizing the issuance of the bonds.*

SEC. 15. Section 54423 of the Government Code is hereby amended to read as follows:

54423. The revenues and any interest earned on the revenues *and all other funds specified in the resolution authorizing the issuance of the bonds* constitute a trust fund for the security and payment of the interest *on* and principal of the bonds [and interest]."

**Amendment No. 8**

On page 2, line 43, of said bill, strike out "5", and insert "16."

**Amendment No. 9**

On page 2, line 49, of said bill, strike out "6", and insert "17".

**Amendment No. 10**

On page 3, of said bill, between lines 2 and 3, insert

"SEC. 18. Section 54427 of the Government Code is hereby amended to read as follows:

54427. Bonds of the same issue shall be equally secured by a *pledge, charge, and* lien upon the revenues of the enterprise *and all other funds specified in the resolution authorizing the issuance of the bonds*, without priority for number, date of bonds, or sale, of execution, or of delivery pursuant to this chapter and the resolution authorizing the issuance of the bonds; except that any local agency may authorize the issuance of bonds of different series and may provide that the bonds in any series shall, to the

extent and in the number prescribed in the resolution, be subordinated and be junior in standing, with respect to the payment of principal and interest and the security thereof, to such other bonds as may be specified in the resolution.

SEC. 19. Section 54431 of the Government Code is hereby amended to read as follows:

54431. The [bonds] *principal of and interest on the bonds and any premiums upon the redemption of any thereof* are not a debt of the local agency, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues except the *revenues of the enterprise [revenues] and other funds that may be legally applied, pledged, or otherwise made available to their payment.*

SEC. 20. Section 54432 of the Government Code is hereby amended to read as follows:

54432. Every bond shall recite in substance that the [bond] *principal of and interest on the bond [is] are payable solely from the revenues and other funds pledged or otherwise made available to [their] its payment and that the local agency is not obligated to pay [them] it except from the revenues of the enterprise and from such other funds.*

SEC. 21. Section 54434 of the Government Code is hereby amended to read as follows:

54434. If in the opinion of the commission, the bonds are adequately secured and the [enterprise] *revenues of the enterprise and the other funds* applicable to the payment of the bonds are, or upon the acquisition, construction, or improvement of the enterprise probably will be, sufficient to pay the principal of and the interest [of] on the bonds, the commission shall certify that the bonds are eligible as legal investments for public and private funds and as security for the deposit of public funds in banks in the State pursuant to the Districts Securities Commission Law.

SEC. 22. Section 54467 of the Government Code is hereby amended to read as follows:

54467. The legislative body may insert in the resolution covenants against the mortgaging or otherwise encumbering, selling, leasing, *pledging, placing any charge upon, or disposing of the enterprise or any of its revenues or any other funds pledged or otherwise made available to secure payment of the principal of and interest on the bonds.*

#### Amendment No. 11

On page 3, line 3, of said bill, strike out "7", and insert "23".

#### Amendment No. 12

On page 3 of said bill, between lines 26 and 27, insert

"SEC. 24. Section 54513 of the Government Code is hereby amended to read as follows:

54513. *Subject to the provisions of Section 54516.1, the local agency shall operate the enterprise in an efficient and economical manner.*

SEC. 25. Section 54514 of the Government Code is hereby amended to read as follows:

54514. *Subject to the provisions of Section 54516.1, the local agency shall prescribe, revise, and collect such charges that the services, facilities [and] or water of the enterprise are furnished to the users at the lowest possible cost consistent with sound economy, [and] and prudent management, and the security and payment of the principal and interest of the bonds.*

SEC. 26. Section 54515 of the Government Code is hereby amended to read as follows:

54515. After making allowances for contingencies and error in the estimates, the charges, *together with any other funds which under this chapter can legally be, and which are, pledged or otherwise made available for the respective purposes hereinafter set forth,* shall be at least sufficient to pay the following amounts in the order set forth:

(a) The interest on and principal of the bonds as they become due and payable.

(b) All payments required for compliance with the resolution authorizing the *issuance of the bonds or any other contract with the bondholders, including the creation of sinking and reserve funds.*

(c) All payments to meet any other obligations of the local agency which are charges, liens, or encumbrances upon, or payable from, the revenues of the enterprise.

(d) All current expenses of *management, operation, maintenance, and repair of the enterprise.*

SEC. 27. Section 54516 of the Government Code is hereby amended to read as follows:

54516. *Subject to the provisions of Section 54516.1, the local agency shall operate, maintain, and preserve the enterprise in good repair and working order.*

SEC. 28. Section 54519 of the Government Code is hereby amended to read as follows:

54519. The local agency shall hold in trust the revenues *and other funds* pledged to the payment of the *principal of and interest on the bonds* for the benefit of the bondholders and shall apply the [revenues] *same* pursuant to the resolution authorizing

*the issuance of the bonds or to the resolution as modified. The local agency may invest funds held in reserve, or in any sinking fund, or funds not required for immediate disbursement, in property or securities in which cities may legally invest funds subject to their control. No such investment shall be made in contravention of any covenant or agreement in any resolution authorizing the issuance of any outstanding bonds.*

SEC. 29. Section 54522 of the Government Code is hereby amended to read as follows:

54522. The local agency shall cause to be published a summary statement showing the amount of gross revenues *and the amount of all other funds collected which are required to be pledged or otherwise made available as security for payment of the principal of and interest on the bonds*, the disbursements from such revenues *and other funds* in reasonable detail, and a general statement of the financial and physical condition of the enterprise. The statement shall be published annually, not more than 120 days after the close of each fiscal year. The local agency shall furnish a copy of the statement to any bondholder upon request."

**Amendment No. 13**

On page 3, line 27, of said bill, strike out "8", and insert "30".

**Amendment No. 14**

On page 3 of said bill, between lines 34 and 35, insert

"SEC. 31. Section 54552 of the Government Code is hereby amended to read as follows:

54552. The local agency may authorize the fiscal agent to receive, collect, hold, or disburse revenues collected from the enterprise for or on account of the local agency *or any other funds required to be pledged or otherwise made available as security for payment of the principal of and interest on the bonds*, and to apply [the] *such* revenues [to the payment of the principal of or interest on the bonds and the balance to the local agency to pay the cost of maintenance and operation of the enterprise] *and other funds as provided in the resolution authorizing the issuance of the bonds.*"

**Amendment No. 15**

On page 3, line 35, of said bill, strike out "9", and insert "32".

**Amendment No. 16**

On page 3, line 45, of said bill, strike out "10", and insert "33".

**Amendment No. 17**

On page 3, line 48, of said bill, after "or", insert "public or private".

**Amendment No. 18**

On page 4 of said bill, between lines 5 and 6, insert

"SEC. 34. Section 54516.1 is hereby added to the Government Code, to read as follows:

54516.1. Subject to the provisions and limitations of any resolution authorizing the issuance of bonds, the local agency may contract, upon such terms and conditions as it may determine, with any person, firm or corporation, for the operation or management of an enterprise. Each such contract shall provide that all consideration to be paid thereunder shall be payable solely from the revenues of the enterprise, and all consideration under any such contract payable by the local agency shall be paid only from such revenues. A local agency shall not by any such contract transfer or attempt to transfer to any person, firm or corporation, or in any way restrict the exercise of the local agency's legal powers and duties concerning any of the following:

(a) The issuance and sale of bonds to provide funds for the acquisition, construction, improving, or financing of the enterprise.

(b) The payment of the principal of and interest on such bonds.

(c) The receipt, handling, and disbursement of and accounting for the proceeds of sale of the bonds.

(d) The fixing of fees, tolls, rates, rentals, and other charges for the services, facilities, or water furnished by the enterprise.

(e) The accounting for the revenues, receipts, and other funds of the enterprise.

(f) The making and enforcing of ordinances and regulations to protect and promote public health and safety in connection with the enterprise and its operation.

SEC. 35. Section 54615 is hereby added to the Government Code, to read as follows: 54615. The local agency may also make contributions, for any of the purposes specified in this article, of any of the funds referred to in Section 54478."

**Amendment No. 19**

On page 4, line 6, of said bill, strike out "11", and insert "36".

**Amendment No. 20**

On page 4, of said bill, following line 7, insert

"SEC. 37. This act is an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. A statement of the facts constituting such necessity is as follows:

The peace, health and safety of the citizens of the state require the immediate financing by public bodies in the state, as soon as possible and before this act would otherwise become effective, of urgently needed public improvements by the issuance and sale of revenue bonds for the respective purposes authorized by this act, in situations where the bonding capacity of the public body to issue general obligation bonds has been exhausted or where, due to actual or anticipated population increases, it is or will be necessary to issue general obligation bonds for public improvements that are not revenue producing."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**REPORTS OF STANDING COMMITTEES****Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred: Senate Bill No. 670

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 3.25 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, February 27, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FIFTEENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, February 27, 1953

The Senate met at 10.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Weybret, and Williams—29.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Hatfield.

Senator Miller, on motion of Senator Hatfield.

Senator Erhart, on motion of Senator Hatfield, due to legislative business.

Senator Thompson, on motion of Senator Hatfield, due to legislative business.

Senator Hoffman, on motion of Senator Hatfield, due to legislative business.

Senator Mayo, on motion of Senator Hatfield, due to legislative business.

Senator Parkman, on motion of Senator Hatfield, due to legislative business.

Senator O'Gara, on motion of Senator Hatfield, due to legislative business.

Senator Way, on motion of Senator Hatfield, due to legislative business.

Senator Regan, on motion of Senator Hatfield, due to legislative business.

Senator Busch, on motion of Senator Hatfield, due to legislative business.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 404

Senate Bill No. 405

Senate Bill No. 1343

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1437

And reports the same correctly engrossed.

POWERS, Chairman

#### Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Bill No. 1666

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 707

Senate Bill No. 1443

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

BREED, Chairman

Above reported bills ordered to second reading.

### RESOLUTIONS

The following resolution was offered:

By Senator Murdy:

#### Senate Resolution No. 68

Relative to young WAVE in the Beek Navy

WHEREAS, The Senate has been informed of the birth of a daughter on February 21st to Barton B. and Dorothy Beek of Balboa Island, Orange County, to be known as Carol Brewster Beek; and

WHEREAS, This event represents the arrival of the first of her sex into the family of Beek for over a generation, and

WHEREAS, Young Carol, at birth, automatically attains the role of queen in this prominent aquatic family of Commodore Joseph A. Beek, thus causing great gratification all around, now, therefore, be it

*Resolved by the Senate of the State of California*, That this august body most cordially extends congratulations to the Commodore and his good wife upon the arrival of their first granddaughter, and hereby expresses the hope that this young queen may enjoy a happy and successful reign, and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably prepared copy of this resolution to the said Mr. and Mrs. Barton B. Beek.

Resolution read, and unanimously adopted on motion of Senator Murdy.

**MOTION TO REFER BILL TO INACTIVE FILE**

Senator Desmond moved that Senate Bill No. 620 be placed on the inactive file.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 823**

Senator Sutton moved that Senate Bill No. 823 be withdrawn from Committee on Military and Veterans Affairs for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 823**—An act to amend Sections 16, 215, 225, 228, 232, 236, 238, 256, 269, 326, 431 and 644 of the Military and Veterans Code, relating to the military forces of the State, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 36, of the printed bill after the words "he retired and" and before the word "placed", insert "may, within one year of such retirement, be".

**Amendment No. 2**

On page 3, line 2, of the printed bill, strike out "of the United States Army" and on page 3, line 2, after the words "and warrant officers", insert "of the reserve components of the Army of the United States on extended active duty".

**Amendment No. 3**

On page 4, line 5, of the printed bill, strike out "of the United States Army", and on page 4, line 4, after "of enlisted men", insert "of the reserve components of the Army of the United States on extended active duty".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 644**

Senator Grunsky moved that Senate Bill No. 644 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to the committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 644**—An act to amend Sections 17003, 17207, 17406, 17414, and 17613 of, and to add Sections 17210.1, 17210.2, 17403.1, 17413.1, 17417, and 17418 to, the Financial Code, relating to escrow agents under the Escrow Law.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "17207", and insert "17200, 17207, 17209, 17401".

**Amendment No. 2**

In line 3 of the title of the printed bill, after the fourth comma, insert "and to add Article 14, comprising Section 1577, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, after line 14, insert

"SEC. 2. Section 17200 of said code is amended to read:

17200. [No person shall engage in the business of an escrow agent in this State unless he is licensed by the Commissioner as an escrow agent.] It shall be unlawful for any corporation, partnership, firm, or individual to engage in business as an escrow agent within this State except by means of a corporation duly organized for that purpose."

**Amendment No. 4**

On page 1, line 15, strike out "SEC. 2." and insert

"SEC. 3."

**Amendment No. 5**

On page 1, after line 26, insert

"SEC. 4. Section 17209 of said code is amended to read:

17209. Upon the filing of the application for an escrow agent's license, the acceptance of the bond, and the payment of the filing fee, the commissioner shall issue and deliver a license to the applicant to engage in the business of an escrow agent at the location set forth in the license, if he finds that the experience, character, financial solvency, business reputation, and general fitness of the applicant, [or the members thereof, if the applicant is a copartnership or association, or the trustees thereof, if the applicant is a trust, or of the] its officers, [and] directors [thereof, if the applicant is a corporation], and employees [of any applicant] are such as to command the confidence of the community and to warrant the belief that the business proposed to be conducted will be operated honestly and fairly and for the protection and safety of the public within the purposes of this division.

SEC. 5. Section 17401 of said code is hereby repealed."

**Amendment No. 6**

On page 2, line 1, strike out "SEC. 3.", and insert

"SEC. 6."

**Amendment No. 7**

On page 2, line 2, of said bill, strike out "as", and insert "at".

**Amendment No. 8**

On page 2, line 30, strike out "SEC. 4.", and insert

"SEC. 7."

**Amendment No. 9**

On page 2, line 49, strike out "SEC. 5.", and insert

"SEC. 8."

**Amendment No. 10**

On page 3, line 6, strike out "SEC. 6.", and insert

"SEC. 9."

**Amendment No. 11**

On page 3, line 44, of said bill, strike out "for the purpose of escheat", and strike out line 45, insert a comma and "subject to the provisions of Title 10 of Part 3 of".

**Amendment No. 12**

On page 3 of said bill, after line 46, insert

"SEC. 12. Article 14, comprising Section 1577, is added to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, to read:

**Article 14. Unclaimed Property Held by Escrow Agents**

1577. Notwithstanding any other provision of law, all unclaimed money or other property paid or delivered to the Treasurer or Controller under the provisions of Division 6 of the Financial Code shall be deemed to be paid or delivered for deposit in the State Treasury under the provisions of this article, and shall be transmitted, received, accounted for, and disposed of, as provided in this title.

SEC. 13. Any existing license under the Escrow Law shall remain in effect for 60 days after the effective date of this act. The commissioner shall issue a license under the Escrow Law for the remainder of the calendar year to a corporation formed at the instance of an individual or partnership for the purpose of taking over and operating



an existing licensed escrow business conducted by said individual or partnership upon surrender of such license and without payment of fee, provided written request for such license together with the bonds required under the Escrow Law are filed with the commissioner on or before 60 days after the effective date of this act."

**Amendment No. 13**

On page 3, line 9, of said bill, strike out "SEC. 7.", and insert "SEC. 10."

**Amendment No. 14**

On page 3, line 18, of said bill, strike out "SEC. 8.", and insert "SEC. 11."

**Amendment No. 15**

On page 3, line 22, of said bill, strike out "SEC. 9.", and insert "SEC. 12."

**Amendment No. 16**

On page 3, line 33, of said bill, strike out "SEC. 10.", and insert "SEC. 13."

**Amendment No. 17**

On page 3, line 41, of said bill, strike out "SEC. 11.", and insert "SEC. 14."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 647**

Senator Grunsky moved that Senate Bill No. 647 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 647**—An act to add Sections 12224, 12300.2, 12301.1, 12307.1, 12312, and 12313 to, and to amend Sections 12002, 12205, and 12309 of, the Financial Code, relating to licensees under the Check Sellers and Cashers Law.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, after the second comma, insert "and to add Article 13, comprising Section 1576, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure,".

**Amendment No. 2**

On page 1, strike out lines 18 through 21 inclusive, and insert "12301.1. A licensee within 15 days after establishing a branch office or agency shall notify the commissioner in writing and shall furnish the commissioner with the name and address of such branch office or agency and such other information as the commissioner may require. Within 15 days after the termination of a branch office or agency a licensee shall inform the commissioner of the name and address of the branch office or agency terminated."

**Amendment No. 3**

On page 2, line 13, of said bill, strike out "for the purpose of" and strike out lines 14 and 15, and insert a comma and "subject to the provisions of Title 10 of Part 3, of the Code of Civil Procedure."

**Amendment No. 4**

On page 2, line 19, of said bill, strike out the first "checks".

**Amendment No. 5**

On page 2, line 32, of said bill, strike out "and", and insert "including".

**Amendment No. 6**

On page 2, of said bill, after line 43, insert

"SEC. 10. Article 13, comprising Section 1576, is added to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, to read:

**Article 13. Unclaimed Property Held by Check Sellers and Cashers**

1576. Notwithstanding any other provisions of law, all unclaimed money or other property paid or delivered to the Treasurer or Controller under the provisions of Division 3 of the Financial Code shall be deemed to be paid or delivered for deposit in the State Treasury under the provisions of this article, and shall be transmitted, received, accounted for, and disposed of, as provided in this title."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 648**

Senator Grunsky moved that Senate Bill No. 648 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 648**—An act to add Section 12300.3 to the Financial Code, relating to trust accounts for licensees under the Check Sellers and Cashers Law.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "and shall", and insert "owned by and belonging to the persons from whom they were received and shall be separated not later than the end of each third business day and thereafter kept separate, distinct, and apart at all times from funds belonging to the licensee or any of its officers, employees or agents, and may be used for no purpose other than paying bills of said persons, paying checks, drafts, or money orders sold by the licensee or cashing checks, drafts, or money orders by or on behalf of the licensee. All such trust funds shall be deposited in a bank or banks in an account or accounts in the name of the licensee designated "trust account," or by some other appropriate name indicating that the funds are not the funds of the licensee or of its officers, employees, or agents, and as such are not subject to attachment, levy of execution or sequestration by order of court except by a payee or bona fide assignee or bona fide holder in due course of a check, draft, or money order sold by a licensee, or except by an obligor for whom a licensee is acting as an agent in paying bills. Funds in said account, together with money on hand and in the hands of agents held for the account of the licensee, and checks, drafts, or money orders received in said business and on hand at all times shall be at least equal to the aggregate liability of the licensee on account of checks sold and bills, invoices, and accounts accepted for payment.

Nothing in this law shall be construed to prevent a purchaser, a holder in due course, the payee of a check, draft, or money order sold by the licensee in the usual course of his business, or an obligor for whom the licensee is acting as an agent in paying bills of the obligor, from taking any legal action necessary to enforce any claims which said purchaser, holder in due course, payee, or obligor may desire to take including the right to levy attachment or execution.

In the event a licensee under this law shall be suspended or terminated the licensee shall immediately deposit in said trust account an amount which with funds therein contained shall be equal to the outstanding checks sold and bills unpaid."

**Amendment No. 2**

On page 1, strike out lines 10 through 20, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 649**

Senator Grunsky moved that Senate Bill No. 649 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 649**—An act to amend Sections 12214, 12220, 12222, and 12301 of the Financial Code, relating to fees under the Check Sellers and Cashers Law.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the first comma, insert "12217, 12218,".

**Amendment No. 2**

In line 2 of the title, strike out "fees under".

**Amendment No. 3**

On page 1, line 7, strike out "seventy-five dollars (\$75)", and insert "one hundred dollars (\$100)".

**Amendment No. 4**

On page 1, line 8, strike out "and five dollars (\$5)", insert a comma and "twenty dollars (\$20) for each branch office or mobile unit, and three dollars (\$3)".

**Amendment No. 5**

On page 1, line 9, strike out "branch office or".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 6**

On page 1, line 10, after the period, insert "A mobile unit may only be operated as a branch office of a licensee and each mobile unit shall constitute a branch office."

**SEC. 2.** Section 12217 of said code is amended to read:

12217. Each license shall state the following:

(a) The name of the licensee, and if the licensee is a partnership or association the names of the members, or if the licensee is a corporation the date and place of its incorporation.

(b) [If business is to be conducted at a specific address, the] *The* address at which such business is to be conducted.

[(c) If business is to be conducted through the use of a mobile unit, the California state registration number or other identification of such mobile unit and the area in which the mobile unit is authorized to do business.]

[(d)] (c) The type of business licensed.

**SEC. 3.** Section 12218 of said code is amended to read:

12218. The license shall be kept conspicuously posted in the place of business of the licensee [or in the case of a mobile unit upon the mobile unit]."

**Amendment No. 7**

On page 1, line 14, strike out "SEC. 2.", and insert "SEC. 4."

**Amendment No. 8**

On page 1, line 21, of said bill, strike out "SEC. 3.", and insert "SEC. 5."

**Amendment No. 9**

On page 2, line 1, of said bill, strike out "SEC. 4.", and insert "SEC. 6."

**Amendment No. 10**

On page 2 of said bill, strike out lines 3 and 4, and insert "if it expressly assumes".

**Amendment No. 11**

On page 2, line 10, of said bill, strike out "and that the", insert a period and : "The".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 650**

Senator Grunsky moved that Senate Bill No. 650 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 650**—An act to add Sections 12301.2 and 12301.3 to, and amend Section 12200 of, the Financial Code, relating to the sale of checks, drafts, or money orders by licensees under the Check Sellers and Cashers Law.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "and with the", and insert "or shall file with the bank and the commissioner written authorization to said bank to pay any checks, drafts, or money orders presented for payment on a form of the licensee as described in the authorization except as to items as to which licensee has filed a stop payment notice with said bank."

**Amendment No. 2**

On page 1, of said bill, strike out lines 11 and 12.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered:

**Senate Joint Resolution No. 20:** By Senators Brown, Regan, Powers, and Mayo—Relative to the use of moneys received from the national forests.

Referred to Committee on Rules.

**Senate Joint Resolution No. 21:** By Senator O'Gara—Relative to uniform federal regulations for the safety and health of industrial workers.

Referred to Committee on Labor.

**Senator Hatfield Presiding**

At 10.50 a.m., Senator George J. Hatfield, Vice Chairman of the Committee on Rules, presiding.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 92**—An act to amend Section 28115 of the Government Code and Section 415 of the Education Code, relating to compensation for public service in counties of the fifteenth class.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "and Section 415 of the Education Code".

**Amendment No. 2**

On page 1, strike out line 7, and insert "six thousand three hundred dollars (\$6,300) a year."

**Amendment No. 3**

On page 1, strike out lines 8 and 9, and insert

"(b) The district attorney, ten thousand dollars (\$10,000) a year."

**Amendment No. 4**

On page 1, lines 10 and 11, strike out "four thousand five hundred dollars (\$4,500)", and insert "five thousand four hundred dollars (\$5,400)".

**Amendment No. 5**

On page 1, line 18, strike out "six cents (\$0.06)" and insert "seven cents (\$0.07)".

**Amendment No. 6**

On page 2, strike out lines 1 to 6, inclusive, and insert "be allowed outside of the county. For attending as a trial juror in a criminal action in the superior court, three dollars (\$3) per day if called but not sworn to try the cause, and four dollars (\$4) per day if called and sworn to try the cause. For attending as a trial juror in a civil action in the superior court, four dollars (\$4) per day if called but not sworn to try the cause and five dollars (\$5) per day if called and sworn to try the cause. For attending as a trial juror in the justice's court for each juror sworn to try the cause, two dollars (\$2) a day. For each mile actually traveled in attending court as a juror, seven cents (\$0.07) a mile each way from the place of residence to the court."

**Amendment No. 7**

On page 2, strike out lines 7 to 13, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 507**—An act to amend Section 28131 of the Government Code, relating to salaries of officers of counties of the thirty-first class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 7, and insert "five thousand seven hundred dollars (\$5,700) a year."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1321**—An act to amend Section 54130 of the Government Code, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 520**—An act to amend Section 1 of Chapter 1228 of the Statutes of 1951, relating to the municipal court in a district embracing the City of San Bernardino.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1431**—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 553**—An act to add Section 2436 to the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 619**—An act to amend Section 12706 of, and to add Section 12707.5 to, the Business and Professions Code, relating to public weighmaster weight certificates.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 779**—An act to repeal Article 2 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum oil importation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 622**—An act to amend Section 12201 of, and to add Sections 12201.1, 12201.2, and 12207 to, the Business and Professions Code, relating to sealers of weights and measures.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "30", and insert "60".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 200**—An act to amend Section 1352 of the Labor Code, relating to hours of labor for women.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 670**—An act to amend Section 6738 of the Business and Professions Code, relating to civil engineers.

Bill read second time.

##### Motion to Amend

Senator Breed moved the adoption of the following amendment:

##### Amendment No. 1

On page 2 of the printed bill, strike out lines 8 and 9, and insert "which was engaged in rendering civil engineering services, and which was lawfully organized under the laws of this State or was qualified to transact intrastate business in this State, on September".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 1343**—An act to amend Section 1676 of the Health and Safety Code, relating to the care of laboratory animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Weybret, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1437**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Sutton, Weybret, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 2**—Relative to closing the United States-Mexico border to unescorted minors.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Weybret, and Williams—24.  
NOES—None.

Resolution ordered transmitted to the Assembly.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 956

Senator Ward moved that Senate Bill No. 956 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 956**—An act to amend Section 162 of the Probate Code, relating to payment of interest on legacies.

Bill read second time.

## Motion to Amend

Senator Ward moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Cash", and insert "General pecuniary".

## Amendment No. 2

On page 1, line 6, of said bill, strike out "second", and insert "first".

## Amendment No. 3

On page 1, line 8, of said bill, strike out "except that legacies for maintenance, or to the", and insert a period.

**Amendment No. 4**

On page 1, of said bill, strike out lines 9 to 14, inclusive, and insert "Annuities commence at the testator's death and are due at the end of the annual monthly or other specified period. Whenever an annuitant, legatee of a legacy for maintenance or beneficiary of a trust may be entitled to periodic payments or trust income commencing at the testator's death, he shall be entitled to interest at 4 percent per annum on the amount of any unpaid accumulations of such payments or income held by the executor or administrator on each anniversary of the decedent's death, computed from the date of such anniversary."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**LETTER OF TRANSMITTAL**

SENATE INTERIM COMMITTEE ON  
TRAFFIC AND MOTOR VEHICLE VIOLATIONS  
February 24, 1953

*Hon. Goodwin J. Knight*  
*President of the Senate*  
*State Capitol*  
*Sacramento, California*

MR. PRESIDENT: The Senate Interim Committee on Traffic and Motor Vehicle Violations created by Senate Resolution 143-1949 and S.R. 156-1951 Regular Session of the Legislature submits herewith its final report, to be considered in connection with the preliminary report filed with the Senate on March 24, 1950 and supplemental report submitted to the Senate on January 12, 1951.

Respectfully submitted,

GIBSON, Chairman

**MOTION TO PRINT REPORT**

Senator Gibson moved that the letter of transmittal be printed in the Journal and the report of Interim Committee on Traffic and Motor Vehicle Violation be printed in the appendix to the Journal and 1,500 additional copies of the report be printed for distribution.

Motion carried.

**ADJOURNMENT**

At 11.10 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, March 2, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTIETH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Monday, March 2, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Hatfield.

Senator Busch, on motion of Senator Hatfield, due to legislative business.

Senator Collier, on motion of Senator Hatfield, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Hatfield, due to legislative business.

Senator Ward, on motion of Senator Hatfield, due to legislative business.

## PLEDGE OF ALLEGIANCE

Senator Williams led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. E. Phillips of Santa Ana.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Barnard, and Mr. and Mrs. Gordon Wild of Fresno.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of Citizenship Class, San Jose Adult Education conducted by Mrs. Madge C. Zeller: Ulpiano Verceles, Sergio A. Aquino, Paul Augustine, Andy Ramilo, Felipe Vilorio, Antonio K. Abasolo, Marcelo Domingo, Fred M. Bacosa, Isabel Bacosa, Sergio R. Ragsac, Graciano Undajon, Apolonio Undajon, Marcelo F. Bergado, Ciriaco R. Doronio, Santiago Olarte, Lydia Olarte, and Claudia Ragsac.

### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 26, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

LEO CARRILLO, a resident of Santa Monica; actor; Member of the State Park Commission since March 22, 1943;

to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1861  
Assembly Bill No. 1866  
Assembly Bill No. 1862  
Assembly Bill No. 1864  
Assembly Bill No. 1869  
Assembly Bill No. 311

Assembly Bill No. 920  
Assembly Bill No. 921  
Assembly Bill No. 1166  
Assembly Bill No. 1890  
Assembly Bill No. 2037

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 1861**—An act to codify Chapter 416 of the Statutes of 1915, relating to the sale of imported butter, by adding Section 593.5 to the Agricultural Code, and repealing Chapter 416 of the Statutes of 1915.

Referred to Committee on Agriculture.

**Assembly Bill No. 1866**—An act to codify Chapter 757 of the Statutes of 1921, relating to dogs and providing restrictions upon the running of dogs at large for the protection of livestock by adding Chapter 9 to

Division 3 of the Agricultural Code, and repealing Chapter 757 of the Statutes of 1921.

Referred to Committee on Agriculture.

**Assembly Bill No. 1862**—An act to codify Chapter 170 of the Statutes of 1915 by adding Section 802.7 to the Agricultural Code and repealing Chapter 170 of the Statutes of 1915, relating to raisins.

Referred to Committee on Agriculture.

**Assembly Bill No. 1864**—An act to codify Chapter 40 of the Statutes of 1923, relating to the importation of parasitic and predaceous insects for pest control, by adding Section 110.5 to the Agricultural Code, and repealing Chapter 40 of the Statutes of 1923.

Referred to Committee on Agriculture.

**Assembly Bill No. 1869**—An act to codify Chapter 150 of the Statutes of 1947, relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets, by adding Chapter 14 to Division 6 of the Agricultural Code, and repealing Chapter 150 of the Statutes of 1947.

Referred to Committee on Agriculture.

**Assembly Bill No. 311**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to old age security with respect to the liability of relatives.

Referred to Committee on Social Welfare.

**Assembly Bill No. 920**—An act to amend Sections 6651 and 6658 of the Welfare and Institutions Code, relating to charges for the care and treatment of patients of state hospitals for the mentally ill in the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

**Assembly Bill No. 921**—An act to amend Section 5102 of the Welfare and Institutions Code, relating to persons suffering from epilepsy and their commitment to a state hospital.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1166**—An act to repeal Sections 125, 126, 127, and 128 of the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind, and abolishing the Social Welfare Disbursement Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1890**—An act to codify Chapter 1384 of the Statutes of 1945, relating to the relief of hardship and destitution, by adding Chapter 5, comprising Sections 2800 to 2904, inclusive, to Division 4 of the Welfare and Institutions Code, and repealing Chapter 1384 of the Statutes of 1945.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2037**—An act to repeal Section 3451 of the Welfare and Institutions Code, as added thereto by Chapter 959 of the Statutes of 1949, relating to eligibility for aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 200	Senate Bill No. 779
Senate Bill No. 520	Senate Bill No. 1321
Senate Bill No. 553	Senate Bill No. 1431
Senate Bill No. 619	

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 92	Senate Bill No. 622
Senate Bill No. 507	Senate Bill No. 670

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 30**—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of March, 1953, at 10 a.m.

POWERS, Chairman

### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 658
Senate Bill No. 29
Senate Bill No. 31

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 32
Senate Bill No. 293
Senate Bill No. 482

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Joint Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

WEYBRET, Chairman

Above reported resolution ordered to third reading.

## SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 30

Has had the same under consideration, and reports the same back with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

## Committee on Institutions

## SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Institutions, to which was referred:

Senate Bill No. 260

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

COOMBS, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Institutions, to which was referred:

Senate Bill No. 1880

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

COOMBS, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, February 27, 1953

MR. PRESIDENT: The Committee on Institutions, to which were referred:

Senate Bill No. 231

Senate Bill No. 240

Senate Bill No. 232

Senate Bill No. 241

Senate Bill No. 237

Senate Bill No. 244

Senate Bill No. 238

Senate Bill No. 1226

Senate Bill No. 239

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

COOMBS, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 20, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 20**

**Senate Joint Resolution No. 20**—Relative to the use of moneys received from the national forests.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Way, and Williams—28.

**NOLLS**—None.

Resolution ordered transmitted to the Assembly.

**RECESS**

At 2.30 p.m., on motion of Senator Mayo, the Senate recessed to allow Senator Mayo to introduce to the Senate, Assemblyman Maloney, who in turn presented Assemblymen Dolwig and Creedon, who are members of Elks Lodge 1112 of San Mateo, Assemblyman Creedon, Exalted Ruler of Lodge 1112 presented Senator Harry Parkman with a diamond pin honoring his 50 years as a member of this order.

**REASSEMBLED**

At 2.35 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

**REPORTS OF STANDING COMMITTEES****Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, February 27, 1953

**MR. PRESIDENT:** The Committee on Agriculture, to which was referred:

Senate Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 27, 1953

**MR. PRESIDENT:** The Committee on Agriculture, to which were referred:

Senate Bill No. 764

Senate Bill No. 480

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bills ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 1650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 538

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported resolution ordered to third reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:  
Senate Bill No. 160

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 5; noes 1; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:  
Senate Bill No. 209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

**MOTION TO RE-REFER SENATE BILL NO. 160**

Senator Abshire moved that Senate Bill No. 160 be re-referred to Committee on Labor.

Motion carried.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented :  
By Senator Ed. C. Johnson :

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT : In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act making an appropriation for the emergency control of epidemic virus encephalitis and other mosquito-transmitted diseases, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR ED. C. JOHNSON

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—30.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time :

**Senate Bill No. 1940 :** By Senator Ed. C. Johnson—An act making an appropriation for the emergency control of epidemic virus encephalitis and other mosquito-transmitted diseases, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented :  
By Senator Montgomery :

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT : In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

Respectfully submitted,

SENATOR MONTGOMERY

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—31.

NOES—None.



**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

**Senate Bill No. 1941:** By Senator Montgomery—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Local Government.

**Senate Constitutional Amendment No. 29:** By Senators Dilworth, Sutton, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—Relative to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI, relating to the issuance of bonds to provide farm and home purchase aid for veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 37:** By Senator Hatfield—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 38:** By Senator Thompson—Relative to approving a certain amendment to the charter of the City of Santa Clara, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

**Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38**

**Senate Concurrent Resolution No. 38**—Relative to approving a certain amendment to the charter of the City of Santa Clara, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Way, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1218**

Senator Byrne moved that Senate Bill No. 1218 be withdrawn from Committee on Judiciary and re-referred to Committee on Institutions. Motion carried.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1666**—An act to amend Section 17721 of the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Revenue and Taxation:

**Amendment No. 1**

On page 1, line 1 of the title, of the printed bill after "of", and before "the", insert ", and to add Sections 17360, 17724.1 and 17784.8 to,".

**Amendment No. 2**

On page 1 of said bill, after the enacting clause and before line 1, insert "SECTION 1. Section 17360 is added to the Revenue and Taxation Code, to read: 17360. Where an unharvested crop sold by the taxpayer is considered under the provisions of Section 17724.1 as "property used in the trade or business," in computing net income no deduction (whether or not for the taxable year of the sale or whether for expenses, depreciation, or otherwise) attributable to the production of such crop shall be allowed."

**Amendment No. 3**

On page 1 of said bill, at the beginning of line 1, strike out "SECTION 1." and insert "SEC. 2."

**Amendment No. 4**

On page 1, line 17, of said bill, after "applicable" and before ".", insert "and unharvested crops to which Section 17724.1 is applicable".

**Amendment No. 5**

On page 1, between lines 20 and 21, of said bill, insert "SEC. 3. Section 17724.1 is added to the Revenue and Taxation Code, to read: 17724.1. In the case of an unharvested crop on land used in the trade or business and held for more than one year, if the crop and the land are sold or exchanged (or compulsorily or involuntarily converted as described in Section 17722) at the same time and to the same person, the crop shall be considered as "property used in the trade or business."

SEC. 4. Section 17784.8 is added to the Revenue and Taxation Code, to read: 17784.8. Proper adjustments shall be made for deductions to the extent disallowed under Section 17360, notwithstanding the provisions of any other section of this article."

**Amendment No. 6**

On page 1, line 21, of said bill, after "SEC." and before "This", strike out "2." and insert "5."

**Amendment No. 7**

On page 1, line 25, of said bill, after "SEC." and before "This", strike out "3." and insert "6."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 707**—An act to amend Sections 4651.4, 4655.2, 4656.4, 4657, and to repeal Section 4657.4, of the Revenue and Taxation Code.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "4656.4", insert ", 4656.6".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of the printed bill, between lines 22 and 23, insert

"SEC. 3.5. Section 4656.6 of said code is amended to read:

4656.6. Amounts collected as delinquent penalties shall be distributed [to the county general fund] *as taxes.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1443**—An act to amend Sections 17316, 17317, and 17357 of the Revenue and Taxation Code, relating to the deduction of charitable gifts for personal income tax purposes, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 404**—A bill to amend Section 13204 of Article 1, of Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to cleaning and dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 405**—A bill to amend Section 13399, Chapter 2, of Part 2, Division 12 of the Health and Safety Code of California, relating to the installation and operation of dry cleaning machines employing chlorinated hydrocarbon types of cleaning solvent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Way, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 92**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1321**—An act to amend Section 54130 of the Government Code, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the comma, insert "relating to state loans for public works damaged or destroyed by earthquakes,".

**Amendment No. 2**

On page 1, line 24, of said bill, strike out "to", and insert "of".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 520**—An act to amend Section 1 of Chapter 1228 of the Statutes of 1951, relating to the municipal court in a district embracing the City of San Bernardino.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill after "1951," insert "to amend Section 74261 of, to repeal Sections 74262, 74263, 74264, and 74265 of, and to add Sections 74262, 74263, and 74264 to, the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, between lines 2 and 3, of said bill, insert  
"SECTION 1. The municipal court established in a district embracing the City of San Bernardino shall be constituted, and the judges, officers and attaches thereof shall receive compensation, as follows:

(1) There shall be three judges each of whom shall receive [seven thousand two hundred dollars (\$7,200)] ~~eight thousand dollars (\$8,000)~~ per annum, payable in equal monthly installments:

(2) There shall be one [chief municipal court] clerk who [shall receive a minimum salary of three hundred twenty-seven dollars (\$327) monthly with increments of sixteen dollars (\$16) after six months, seventeen dollars (\$17) after one and one-half years, eighteen dollars (\$18) after two and one-half years, nineteen dollars (\$19) after four and one-half years, and twenty dollars (\$20) after six and one-half years, to a maximum of four hundred seventeen dollars (\$417) monthly.

The clerk may appoint the following:

Three court clerks at a minimum salary of two hundred thirty-two dollars (\$232) monthly, with increments of twelve dollars (\$12) after six months, twelve dollars (\$12) after one and one-half years, thirteen dollars (\$13) after two and one-half years, thirteen dollars (\$13) after four and one-half years, and fourteen dollars (\$14) after six and one-half years, to a maximum of two hundred ninety-six dollars (\$296) monthly;



Two clerks, civil and criminal, at a minimum salary of two hundred thirty-two dollars (\$232) monthly, with increments of twelve dollars (\$12) after six months, twelve dollars (\$12) after one and one-half years, thirteen dollars (\$13) after two and one-half years, thirteen dollars (\$13) after four and one-half years, and fourteen dollars (\$14) after six and one-half years, to a maximum of two hundred ninety-six dollars (\$296) monthly;

Two clerks at a minimum salary of two hundred ten dollars (\$210) monthly, with increments of eleven dollars (\$11) after six months, eleven dollars (\$11) after one and one-half years, twelve dollars (\$12) after two and one-half years, twelve dollars (\$12) after four and one-half years, and thirteen dollars (\$13) after six and one-half years, to a maximum of two hundred sixty-nine dollars (\$269).

Seven clerks at a minimum salary of one hundred ninety dollars (\$190) monthly, with increments of ten dollars (\$10) after six months, ten dollars (\$10) after one and one-half years, eleven dollars (\$11) after two and one-half years, eleven dollars (\$11) after four and one-half years, and twelve dollars (\$12) after six and one-half years, to a maximum of two hundred forty-four dollars (\$244) ] *may appoint three court clerks, three clerks IV, two clerks III and five clerks II.*

(3) There shall be one marshal who [shall receive a salary of three hundred dollars (\$300) per month, and who may appoint the following:

One chief deputy marshal who shall receive a minimum salary of two hundred sixty-nine dollars (\$269) monthly, with increments of thirteen dollars (\$13) after six months, fourteen dollars (\$14) after one and one-half years, fifteen dollars (\$15) after two and one-half years, sixteen dollars (\$16) after four and one-half years, and sixteen dollars (\$16) after six and one-half years, to a maximum of three hundred forty-three dollars (\$343).

Two deputies, each of whom shall receive a minimum salary of two hundred forty-four dollars (\$244) monthly, with increments of twelve dollars (\$12) after six months, twelve dollars (\$12) after one and one-half years, thirteen dollars (\$13) after two and one-half years, thirteen dollars (\$13) after four and one-half years, and fourteen dollars (\$14) after six and one-half years, to a maximum of three hundred eight dollars (\$308);

Two deputy (bailiffs) who shall receive a minimum salary of two hundred twenty-one dollars (\$221) monthly, with increments of eleven dollars (\$11) after six months, twelve dollars (\$12) after one and one-half years, twelve dollars (\$12) after two and one-half years, thirteen dollars (\$13) after four and one-half years, and thirteen dollars (\$13) after six and one-half years, to a maximum of two hundred eighty-two dollars (\$282) ] *may appoint one chief deputy marshal, two deputy marshals, two deputy bailiffs and one typist clerk II.*

(4) *The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the schedule set forth below:*

	B	C	D	E	F
Municipal court clerk	\$343	\$360	\$378	\$397	\$417
Court clerk	269	282	296	311	327
Clerk IV	269	282	296	311	327
Clerk III	232	244	256	269	282
Clerk II	200	210	221	232	244
Municipal court marshal	400	400	400	400	400
Chief deputy marshal	296	311	327	343	360
Deputy marshal	269	282	296	311	327
Deputy bailiff	256	269	282	296	311
Typist-clerk II	200	210	221	232	244

*The hiring salary for each position shall be the salary in Column "B". A service period of one year shall be required for a salary increase from Column "B" to Column "C" and one additional year's service for a salary increase from Column "C" to Column "D". A service period of two years shall be required for a salary increase from Column "D" to Column "E" and two additional years' service for a salary increase from Column "E" to Column "F".*

[ (4) ] (5) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set.

Sec. 2. Section 74261 of the Government Code is amended to read:

74261. There shall be three judges each of whom shall receive [seven thousand two hundred dollars (\$7,200)] *eight thousand dollars (\$8,000)* annually.

Sec. 3. Sections 74262, 74263, 74264, and 74265 of said code are hereby repealed.

Sec. 4. Section 74262 is added to said code, to read:

74262. There shall be one clerk who may appoint three court clerks, three clerks IV, two clerks III, and five clerks II.

SEC. 5. Section 74263 is added to said code, to read:

74263. There shall be one marshal who may appoint one chief deputy marshal, two deputy marshals, two deputy bailiffs, and one typist clerk II.

SEC. 6. Section 74264 is added to said code, to read:

74264. The monthly salaries for the following positions shall be according to, and shall be increased in accordance with, the schedule set forth below:

	B	C	D	E	F
Municipal court clerk -----	\$343	\$360	\$378	\$397	\$417
Court clerk -----	269	282	296	311	327
Clerk IV -----	269	282	296	311	327
Clerk III -----	232	244	256	269	282
Clerk II -----	200	210	221	232	244
Municipal court marshal -----	400	400	400	400	400
Chief deputy marshal -----	296	311	327	343	360
Deputy marshal -----	269	282	296	311	327
Deputy bailiff -----	256	269	282	296	311
Typist-clerk II -----	200	210	221	232	244

The hiring salary for each position shall be the salary in Column "B". A service period of one year shall be required for a salary increase from Column "B" to Column "C" and one additional year's service for a salary increase from Column "C" to Column "D". A service period of two years shall be required for a salary increase from Column "D" to Column "E" and two additional years' service for a salary increase from Column "E" to Column "F".

SEC. 7. Sections 2, 3, 4, 5, and 6 of this act become operative only if Title 8 of the Government Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said title takes effect, at which time Chapter 1228 of the Statutes of 1951 is repealed."

#### Amendment No. 3

On page 1, strike out lines 3 to 28, inclusive, and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1431**—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 200**—An act to amend Section 1352 of the Labor Code, relating to hours of labor for women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 670**—An act to amend Section 6738 of the Business and Professions Code, relating to civil engineers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 619**—An act to amend Section 12706 of, and to add Section 12707.5 to, the Business and Professions Code, relating to public weighmaster weight certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 779**—An act to repeal Article 2 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum oil importation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 622**—An act to amend Section 12201 of, and to add Sections 12201.1, 12201.2, and 12207 to, the Business and Professions Code, relating to sealers of weights and measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 743

Senator Gibson moved that Senate Bill No. 743 be withdrawn from Committee on Water Resources for purpose of amendment and referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 743**—An act to amend Section 2 of the Solano County Flood Control and Water Conservation District Act (Chapter



1656 of the Statutes of 1951), relating to the Solano County Flood Control and Water Conservation District.

Bill read second time.

#### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2", and insert "Sections 1, 2, 4.3, 5, 5.1, 5.2, and 6.4".

#### Amendment No. 2

On page 1, line 1, of said bill, strike out "2" and insert "1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"SECTION 1. A district is hereby created to be known and designated as the "Solano County Flood Control and Water Conservation District," and the boundaries and territory of said district are as follows: all of the territory within the County of Solano [excepting therefrom the territory] lying within the exterior boundaries thereof [of the Solano County Irrigation District] and the Davis Campus of the University of California and such of the territory of any member unit lying outside the exterior boundaries of the County of Solano.

SEC. 2. Section 2 of said act is amended to read:"

#### Amendment No. 4

On page 1, line 25, of said bill, after "State", insert ", the territory of which lies within, or partly within, or contiguous to the exterior boundaries of, the County of Solano, or contiguous to the exterior boundaries of another member unit, which is".

#### Amendment No. 4.5

On page 1, line 26, of said bill, after "users", insert ", and".

#### Amendment No. 5

On page 2, of said bill, after line 18, insert

"SEC. 3. Section 4.3 of said act is amended to read:

SEC. 4.3. Anything in this act to the contrary notwithstanding, the district shall have the power to appropriate water or acquire water rights only on behalf of lands not then included within the limits of any public corporation empowered to appropriate water, and the district shall promptly assign any such appropriation or water right to any such public corporation formed to include such lands; provided, that [at any time after July 1, 1951] the district shall have the further power to appropriate water or to acquire water rights to whatever extent and for whatever purposes [all member units] any member unit or the University of California having an interest therein or affected thereby shall have agreed to in writing.

SEC. 4. Section 5 of said act is amended to read:

SEC. 5. The district shall have the power, but only as to member units or the University of California for the benefit of its Davis Campus, to sell, lease, or otherwise dispose of water or any rights to the use of the works of the district for the conservation, control or transportation of water, and shall have the power to fix rates and charges for such purposes.

SEC. 5.1. Section 5.1 of said act is amended to read:

SEC. 5.1. The district shall have the power to enter into contracts with any member unit or with any municipality, district, or other political subdivision which thereby becomes a member unit of the district for any of the following purposes:

1. The lease, purchase or other acquisition by the district of any of the works of such member unit [or district].

2. The construction of works by the district for the conservation, regulation or transmission of water for the benefit of such member units; or for the furnishing or sale by the district or the United States to such member unit or by such member unit to the district of water or a water supply for any purpose; or for the assumption, by either the district or the member unit, as principal or guarantor or underwriter of indebtedness incurred on account of works or water furnished or sold to the [agency] district or member unit.



3. The sale, lease or other disposition of water, water rights, and water storage facilities, or interests therein, by the district or by such member unit.

4. The operation of works and the delivery of water by the district or by such member unit; provided:

(a) The works shall be operated in conformity with the vested rights and appropriations of each of its member units having an interest therein.

(b) There shall be delivered to each member unit all water to which such member unit is entitled under the contract entered into by the district and such member unit.

(c) There shall not be delivered to any member unit more water than the amount to which such member unit is entitled under the contract entered into by the district and such member unit; provided, that the release of water from any reservoir in the amount required to satisfy any vested right shall not constitute a delivery of water; provided further, that any quantity of water assigned under Section 5.6 or released under Section 5.7 by one member unit to another member unit shall be delivered to the latter.

SEC. 6. Section 5.2 of said act is amended to read:

Sec. 5.2. The district shall have no power to sell, lease, or otherwise dispose of water or of any right to the use of the works of the district for the conservation, control, or transportation of water, except to member units and to the University of California for the benefit of its Davis Campus and except as all member units and the University of California having rights to such water or interest in such works shall grant such power by written contract; the power so granted shall be limited to the extent and by the conditions set forth in the most restrictive of such contracts.

SEC. 7. Section 6.4 of said act is amended to read:

Sec. 6.4. [The district shall not use any funds which may accrue to it from any source whatsoever to construct, or to bring about, in any way, the construction of any work or works on the Putah Creek prior to November 1, 1953.] *Anything in this act to the contrary notwithstanding, the district shall have the power to contract, and to perform its contracts, with the University of California for the benefit of the Davis Campus thereof in all respects as the district has the power to contract and perform its contracts with its member units, except that any such contract with the University of California shall provide that any payments to be made to the district shall be in advance of any service, delivery, construction or use to be provided by the district under such contract.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1322

Senator Williams moved that Senate Bill No. 1322 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1322**—An act to amend Section 802 of the Agricultural Code, relating to sugar content of grapes.

Bill read second time.

##### Motion to Amend

Senator Williams moved the adoption of the following amendments:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 21, inclusive, and insert "scale hydrometer; however, the varieties Emperor, Gros Colman, Bleu".

##### Amendment No. 2

On page 2 of said bill, strike out lines 6 to 10, inclusive.

##### Amendment No. 3

On page 2, line 21, of said bill, strike out "The", and insert "Except as to the varieties Thompson Seedless and Malaga, the".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered :

**Senate Concurrent Resolution No. 39:** By Senator Thompson—Relative to the death of Clifford E. Peterson.

**Request for Unanimous Consent**

Senator Thompson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39**

**Senate Concurrent Resolution No. 39**—Relative to the death of Clifford E. Peterson.

Resolution read and adopted on the rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 380**

Senator Dorsey moved that Senate Bill No. 380 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 380**—An act to amend Section 402b of the Penal Code, relating to refrigerators, ice boxes, and deep freeze lockers.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "use" insert ",".

**Amendment No. 2**

On page 1, line 9, of said bill, after "removed", insert "or such portion of the latch mechanism removed to prevent latching or locking of the door".

**Amendment No. 3**

On page 1, line 13, of said bill, after "removed", insert "or such portion of the latch mechanism removed to prevent latching or locking of the door".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time :

**Senate Joint Resolution No. 22:** By Senator Byrne—Relative to flood control works on Butte and Little Chico Creeks.

Referred to Committee on Water Resources.

**REPORTS OF STANDING COMMITTEES**

**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

**MR. PRESIDENT:** The Committee on Financial Institutions, to which were referred :

Senate Bill No. 276

Senate Bill No. 373

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 9 ; committee vote : Ayes 5 ; absent 4.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 2, 1953

**MR. PRESIDENT:** The Committee on Financial Institutions, to which was referred :

Senate Bill No. 819

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 9 ; committee vote : Ayes 5 ; absent 4.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 2, 1953

**MR. PRESIDENT:** The Committee on Financial Institutions, to which were referred :

Senate Bill No. 375

Senate Bill No. 594

Senate Bill No. 1332

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 9 ; committee vote : Ayes 6 ; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 2, 1953

**MR. PRESIDENT:** The Committee on Judiciary, to which was referred :

Senate Bill No. 736

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 11 ; committee vote : Ayes 6 ; noes 1 ; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 2, 1953

**MR. PRESIDENT:** The Committee on Judiciary, to which were referred :

Senate Bill No. 186

Senate Bill No. 1010

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and re-refer to the committee.

Committee membership 11 ; committee vote : Ayes 7 ; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 28  
Senate Bill No. 123  
Senate Bill No. 677  
Senate Bill No. 678  
Senate Bill No. 679

Senate Bill No. 680  
Senate Bill No. 684  
Senate Bill No. 685  
Senate Bill No. 832  
Senate Bill No. 1926

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 789  
Senate Bill No. 1162

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 14  
Senate Joint Resolution No. 19  
Senate Joint Resolution No. 20

And reports the same correctly engrossed.

POWERS, Chairman

## ADJOURNMENT

At 3.37 p.m., on motion of Senator Hatfield, the President declared the Senate adjourned until 2 p.m., Tuesday, March 3, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 3, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Ward, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Bershie Rouse, teacher, Dr. David L. Greene, director, and the following students of the Adult Education Class in American Citizenship at Stockton College: Irene Nellie, Yolando Devoto, Maria Negro, Clara Heynen, Foola Thomas, Klara Mannheimer, Mary Woodbridge, Antonia Seamahorn, Verdun Blond, Lupe Fontes, Maria Fernandez, Josephine Reboli, Ann Manning, Melvina Manning, Mercedes Benavidez, Maria Bacigalupi, Perini Feseni, Josephine Mongus, Louise Salini, Mary Dalonzo, Evangelina Mani, Regina Vogel, Dominica Santini, Juanita Suarez, Passencia Eliab, Violet Huerta, Fannie Mora, Aurora Orozco, Max Meyer, Bing Ge Lee, Yit Kwong, Natale Biglieri, Giambastiani Giambruno, Francisco

Tuzzio, Vittorino Pogietini, Pablo Dela Cruz, Broulio Macanos, Marco Mariano, Rio Valencia, Felix Pascua, Loren R. Manning, Rita Stefani, Nellie Silva, Nicolas Farinas, John Browne, Felipe Dosono, and D. Ogotes.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Long, teacher, and the following students of Linden Union High School: Maxine Allen, Wesley Atkins, Steve Campora, Bob Devencenzi, Charlotte Eilers, Jerry Freeman, Donald Goodnall, Henry Hirata, John Honda, J. P. Jones, Dian Lawrence, Shirley McCann, Rosemarie Meiburg, Dolores Moznnett, Joyce Piacentini, Fred Podesta, Angelo Rivera, Norma Smithee, Bob Solari, Virginia Solari, Joy Stagnaro, Neil Stidson, Joe Tanaka, Metoki Wakabayashi, Richard Zolezzi, Jim Allison, Betty Baker, Vera Barbagelata, Jim Blevins, Eugene Boggs, Louis Cocola, Eddie Costa, Dorothy de Sarro, Helen Fausset, Edna Jones, Harold Jones, Helen Martin, Lee McElwee, Shirley Norman, James Polk, Bob Rasmussen, Rudolph Rigato, David Sheehan, Bob Turkatte, Mary Ann Vargem, Martin Vignolo, Ruben Bacci, Darlene Bergstrom, Rachel Celle, Don Cook, Wilburn Cook, Wanda Hancock, Harold Jennings, Bobby Johnson, Deedie Lagorio, Jimmie Morris, Augie Noceti, Richards Robbins, Bob Wheaton, and Bette Wong.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. William Koontz from Sacramento.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lee Gaither of Los Molinos.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A/3c Elaine Louk of Corona.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hugh W. Ferrier of Sacramento.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Oscar B. Petersen of Sebastopol, P. G. Petersen, D. Black, N. P. Nielsen, Charles Boek, and Claude D. Bradford of Petaluma; Herb Schulze and Wayne F. Kaltenbach of Santa Rosa.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. U. Smith and E. J. Smith of San Jose, and Ernest Angelo of Cupertino.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major Donal Forrester, Chaplain, U. S. A. F.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Cy Young, Winner of Olympic Javelin Contest; Ralph Watson, Tom Moore, and Tom Mellis from Modesto.

On request of Senators O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Lawlor, Director Agriculture District No. 1-A, San Francisco.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. India Edwards, Vice President of the National Democratic Committee, and her daughter, Mrs. India Williams.

**MOTION TO RE-REFER SENATE BILLS NOS. 237, 239, 240, AND 241**

Senator Hulse moved that Senate Bills Nos. 237, 239, 240, and 241 be re-referred to Committee on Finance.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 76**

Senator Brown moved that Senate Bill No. 76 be withdrawn from Committee on Revenue and Taxation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 76**—An act to amend Sections 17786, 17813, and 17817 of, and to add Sections 17314.5, 17314.7, 17784.7 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 17817", and insert ", 17814, 25121a, and 25121c".

**Amendment No. 2**

In line 2 of said title, strike out "and 17784.8", and insert "17784.8, 24121i.1, 24121i.2, 25101a.1, and 25101a.2".

**Amendment No. 2.5**

In line 3 of said title, after "income", insert "and bank and corporation".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 4 of said bill, between lines 26 and 27, insert

"SEC. 8. Section 25121a of said code is amended to read:

25121a. In the case of mines [other than metal, bauxite, coal, fluor spar, flake, graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, potash, ball, sagger, and china clay, phosphate rock, rock asphalt, trona, bentonite, gilsonite, thenardite, or sulphur mines] (*except mines in respect of which percentage depletion is allowable under Section 25121c*) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within 30 days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost. The depletion allowance under Section 24121i based on discovery value provided in this section shall not exceed 50 percent of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made, except that in no case shall the depletion allowance under Section 24121i be less than it would be if computed without reference to discovery value. Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after February 28, 1913, if the vein or deposit



thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist, and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit.

SEC. 9. Section 25121c of said code is amended to read:

25121c. The allowance for depletion under Section 24121i shall be [ , in the case of coal mines, 5 percent, in the case of metal mines, bauxite, fluor spar, flake graphite, vermiculite, beryl, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, ball sagger, and china clay, phosphate rock, or rock asphalt mines, trona, bentonite, gilsonite, thenardite (from brines or mixtures of brines), and potash mines or deposits, 15 percent, and, in the case of sulphur mines or deposits, 23 percent, of the gross income from the property during the income year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. ] :

(a) *In the case of sand, gravel, slate, stone (including pumice and scoria), brick and tile clay, shale, oyster shell, clam shell, granite, marble, sodium chloride, and, if from brine wells, calcium chloride, magnesium chloride, and bromine, 5 percent;*

(b) *In the case of coal, asbestos, brucite, dolomite, magnesite, perlite, wollastonite, calcium carbonates, and magnesium carbonates, 10 percent;*

(c) *In the case of metal mines, apatite, bauxite, fluor spar, flake graphite, vermiculite, beryl, garnet, feldspar, mica, talc (including pyrophyllite), lepidolite, spodumene, barite, ball clay, sagger clay, china clay, phosphate rock, rock asphalt, trona, bentonite, gilsonite, thenardite, borax, fuller's earth, tripoli, refractory and fire clay, quartzite, diatomaceous earth, metallurgical grade limestone, chemical grade limestone, and potash, 15 percent;*

(d) *In the case of sulfur, 23 percent;*

*of the gross income from the property during the income year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property.*

Such allowance shall not exceed 50 percent of the net income of the taxpayer (computed without allowance for depletion) from the property except that in no case shall the depletion allowance under Section 24121i be less than it would be if computed without reference to this section.

SEC. 10. Section 24121i.1 is added to said code, to read:

24121i.1. (a) Except as provided in subdivision (b), in computing net income there shall be allowed as a deduction all expenditures paid or incurred during the income year for the development of a mine or other natural deposit (other than an oil or gas well) if paid or incurred after December 31, 1951, and after the existence of ores or minerals in commercially marketable quantities has been disclosed.

This section shall not apply to expenditures for the acquisition or improvement of property of a character which is subject to the allowance for depreciation provided in Section 24121g, but allowances for depreciation shall be considered, for the purposes of this section, as expenditures.

(b) At the election of the taxpayer, made in accordance with regulations prescribed by the Franchise Tax Board, expenditures described in subdivision (a) paid or incurred during the income year shall be treated as deferred expenses and shall be deductible on a ratable basis as the units of produced ores or minerals benefited by such expenditures are sold. In the case of such expenditures paid or incurred during the development stage of the mine or deposit, the election shall apply only with respect to the excess of such expenditures during the income year over the net receipts during the income year from the ores or minerals produced from such mine or deposit. The election must be for the total amount of such expenditures, or the total amount of such excess, as the case may be, with respect to the mine or deposit, and shall be binding for such income year.

(c) The amount of expenditures which are treated under subdivision (b) as deferred expenses shall be taken into account in computing the adjusted basis of the mine or deposit, except that such amount, and the adjustments to basis provided in Section 25101a.1, shall be disregarded in determining the adjusted basis of the property for the purpose of computing a deduction for depletion under Article 5 of Chapter 8 of this part.

SEC. 11. Section 24121i.2 is added to said code, to read:

24121i.2. (a) In the case of expenditures paid or incurred during the income year for the purpose of ascertaining the existence, location, extent, or quality of any deposit of ore or other mineral, and paid or incurred prior to the beginning of the development stage of the mine or deposit, in computing net income there shall be allowed as a deduction so much of such expenditures as does not exceed seventy-five thousand dollars (\$75,000).

This section shall apply only with respect to the amount of such expenditures which, but for this section, would not be allowable as a deduction for the income year.

This section shall not apply to expenditures for the acquisition or improvement of property of a character which is subject to the allowance for depreciation provided in Section 24121g, but allowances for depreciation shall be considered, for the purposes of this section, as expenditures paid or incurred.



In no case shall this section apply with respect to amounts paid or incurred for the purpose of ascertaining the existence, location, extent, or quality of any deposit of oil or gas.

(b) If the taxpayer elects, in accordance with regulations prescribed by the Franchise Tax Board, to treat as deferred expenses any portion of the amount deductible for the income year under subdivision (a), such portion shall not be deductible under subdivision (a) but shall be deductible on a ratable basis as the units of produced ores or minerals discovered or explored by reason of such expenditures are sold. An election made for any income year shall be binding for such year.

(c) This section shall not apply to any amounts paid or incurred in any income year if in any four preceding years the taxpayer, or any individual or corporation who has transferred to the taxpayer any mineral property under circumstances which make the provisions of Sections 17751, 17754, 25071e, 25071f, 25071i, 25071j, 25071n, 25071p, or 25071q applicable to such transfer, has either (1) been allowed a deduction under subdivision (a) of this section or (2) made the election provided under subdivision (b) of this section.

(d) The amount of expenditures which are treated under subdivision (b) as deferred expenses shall be taken into account in computing the adjusted basis of the mine or deposit, but such amounts, and the adjustments to basis provided in Section 25101a.2 shall be disregarded in determining the adjusted basis of the property for the purpose of computing a deduction for depletion under Article 5 of Chapter 8 of this part.

Sec. 12. Section 25101a.1 is added to said code, to read:

25101a.1. Proper adjustment shall be made for amounts allowed as deductions as deferred expenses under subdivision (b) of Section 24121i.1 (relating to certain expenditures in the development of mines) and resulting in a reduction of the taxpayer's tax, but not less than the amounts allowable under such section for the income year and prior years.

Sec. 13. Section 25101a.2 is added to said code, to read:

25101a.2. Proper adjustment shall be made for amounts allowed as deductions as deferred expenses under subdivision (b) of Section 24121i.2 (relating to certain exploration expenditures) and resulting in a reduction of the taxpayer's tax, but not less than the amounts allowable under such section for the income year and prior years."

#### Amendment No. 4

On page 4, line 27, of said bill, strike out "8", and insert "14".

#### Amendment No. 5

On page 4 of said bill, strike out lines 30 to 37, inclusive, and insert

"SEC. 15. This act shall be applied in the computation of taxes from and after January 1, 1953."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1106

Senator Brown moved that Senate Bill No. 1106 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1106**—An act to amend Sections 35119 and 35121 of the Government Code, relating to cities.

Bill read second time.

#### Motion to Amend

Senator Brown moved the adoption of the following amendment:

#### Amendment No. 1

In line 18 of the printed bill, after the period, add the following:

"Said notice shall be mailed not less than twenty (20) days before the first public hearing on the proposed annexation."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 259**

Senator Williams moved that Senate Bill No. 259 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 259**—An act to amend Section 628 of the Agricultural Code, relating to the definition of Grade A sterilized, pasteurized milk, and authorizing the Director of Agriculture to promulgate regulations with respect thereto.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 in the title of the printed bill, strike out lines 2, 3, and 4, and insert "to sterilized milk and sterilized cream".

**Amendment No. 2**

On page 1 of the printed bill, strike out lines 7 and 8, and insert: "It shall be made from milk or cream which meets all the requirements of this division for the respective class or grade of milk and cream used; except that such milk or cream need not be cooled when it has been demonstrated to the satisfaction of the director that such cooling is not required for the proper processing of the product."

**Amendment No. 3**

On page 1 of the printed bill, strike out lines 15 to 25 inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 194**

Senator Coombs moved that Senate Bill No. 194 be withdrawn from Committee on Institutions for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 194**—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 1, of the printed bill, after "sell", insert "under such terms, conditions, and restrictions as he deems to be for the best interests of the State".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 635**

Senator Mayo moved that Senate Bill No. 635 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 635**—An act adding Section 30.5 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations, and declaring the urgency thereof, to take effect immediately," declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Mayo moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, in the first line of the title of the printed bill, strike out "Section 30.5", and insert "Sections 30.5 and 30.6".

**Amendment No. 2**

On page 1, of said bill, after line 12, insert

"SEC. 2. Section 30.6 is added to the act cited in the title, to read:

Sec. 30.6. In the event that for a continuous two year period prior to the effective date of this section there has not existed any municipal governing body, for any city in this State, any unapportioned allocation made to such city by Section 25 is hereby transferred to the county in which such city resides, which transferred allocation shall be in addition to any other allocation said county is entitled to under this chapter. For all purposes of this chapter said transferred allocation shall thenceforth be treated as if it were an original allocation to said county."

**Amendment No. 3**

On page 1, line 13, strike out "SEC. 2", and insert "SEC. 3."

**Amendment No. 4**

On page 2 of said bill, after line 5, insert

"In addition it appears that there are some cities which have been without a governing body for several years, and that the allocation under Section 25 of this chapter to those cities could be utilized by the counties in which such cities reside. In order to enable said counties to utilize such allocations at the earliest possible moment it is necessary that this bill go into effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 636**

Senator Mayo moved that Senate Bill No. 636 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 636**—An act adding Section 24.5 to the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Mayo moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, in the first line of the title, strike out "Section 24.5", and insert "Sections 24.5 and 24.6".

**Amendment No. 2**

On page 1 of said bill, after line 12, insert

"SEC. 2. Section 24.6 is added to the act cited in the title, to read:

Sec. 24.6. In the event that for a continuous two year period prior to the effective date of this section there has not existed any municipal governing body for any city in this State, any unapportioned allocation made to such city by Section 14 is hereby transferred to the county in which such city resides, which transferred allocation shall be in addition to any other allocation said county is entitled to under this chapter. For all purposes of this chapter said transferred allocation shall thenceforth be treated as if it were an original allocation to said county."

**Amendment No. 3**

On page 1, line 13, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 4**

On page 1 of said bill, after line 24, insert

"In addition it appears that there are some cities which have been without a governing body for several years, and the allocation under Section 14 of this chapter to those cities could be utilized by the counties in which such cities reside. In order to enable said counties to utilize such allocations at the earliest possible moment it is necessary that this bill go into effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1409**

Senator Kraft moved that Senate Bill No. 1409 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1409**—An act to amend Section 139 of the Civil Code, relating to allowances for support and maintenance resulting from divorce or separate maintenance actions.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 18, of the printed bill, after "trust", insert "with the court trustee".

**Amendment No. 2**

On page 1, line 26, of said bill, after "children", strike out the period, and insert ", and shall account for such funds in writing to the court trustee each six months and at such other times as the court may, in its discretion, direct."



**Amendment No. 3**

On page 1, line 26, strike "The father of the children, or any other person", and on page 2, strike lines 1 through 8.

**Amendment No. 4**

On page 2 of said bill, after line 28, insert

"SEC. 2. Section 139.1 is added to said code, to read:

139.1. In any interlocutory or final decree of divorce or in any action for separate maintenance, when the prevailing party has insufficient share in the community property or insufficient separate estate or earning capacity to provide for his or her necessary maintenance the court may order the party against whom the decree or judgment is granted to provide a suitable allowance to the prevailing party, having regard for the number and ages of the children, if any, of the marriage, the factors contributing to the separation of the parties, and the potential net income of the earning party after such decree or judgment has been awarded; except that when such allowance is provided for by written agreement by the parties, no additional allowance shall be made. That portion of the decree or judgment making such allowance or allowances, and the order or orders of the court to enforce the same may be modified or revoked at any time at the discretion of the court, except as to any amount that may have accrued prior to the order of modification or revocation.

Except as otherwise agreed by the parties in writing, the obligations of any party in any decree, judgment or order for the support and maintenance of the other party shall terminate upon the death of the obligor or upon the remarriage of the other party."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 69**

Senator Abshire moved that Senate Bill No. 69 be withdrawn from Committee on Natural Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 69**—An act to amend Section 5012 of the Public Resources Code, relating to public highways in state parks.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out the period, and insert " , except those consented to by the grantee.

The Department of Public Works may remove any tree on state park land over and across which an easement has been granted for a state highway, irrespective of any term or condition of the grant, whenever necessary to insure the safety of the traveling public or to permit construction or improvement of the highway."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 75**

Senator Abshire moved that Senate Bill No. 75 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 75**—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "----- dollars (\$-----)", and insert "two hundred fifty thousand dollars (\$250,000)".

**Amendment No. 2**

On page 1 of said bill, after line 9, insert

"SEC. 2. The Division of Water Resources may contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the division as will best assist it to carry out this act.

SEC. 3. The Division of Water Resources shall report to the Legislature the results of its studies and investigation not later than March 30, 1955."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 44  
Assembly Bill No. 919  
Assembly Bill No. 1161  
Assembly Bill No. 1165  
Assembly Bill No. 1167  
Assembly Bill No. 1829  
Assembly Bill No. 278  
Assembly Bill No. 279  
Assembly Bill No. 303

Assembly Bill No. 409  
Assembly Bill No. 851  
Assembly Bill No. 866  
Assembly Bill No. 1275  
Assembly Bill No. 1441  
Assembly Bill No. 1442  
Assembly Bill No. 1930  
Assembly Bill No. 3034  
Assembly Bill No. 104

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 44**—An act to amend Section 2507 of the Welfare and Institutions Code, relating to the case histories of recipients of indigent aid.

Referred to Committee on Social Welfare.

**Assembly Bill No. 919**—An act to amend Section 6661 of the Welfare and Institutions Code, relating to the collection of money due patients in state hospitals.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1161**—An act to amend Section 17091 of the Government Code, relating to duplicate state warrants.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1165**—An act to add Section 12478 to the Government Code, relating to duplicate state pay roll warrants.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1167**—An act to repeal Article 2 of Chapter 1, Part 4, Division 4, Title 2, comprising Sections 17030 to 17034, inclusive, of the Government Code, relating to disbursing officers' warrants.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1829**—An act to amend Section 101 of the Business and Professions Code, relating to regulation of the businesses and professions.

Referred to Committee on Business and Professions.

**Assembly Bill No. 278**—An act to add Section 58861 to the Government Code, relating to county boundary commissions.

Referred to Committee on Local Government.

**Assembly Bill No. 279**—An act to add Section 34092 to the Government Code, relating to duties of city clerks.

Referred to Committee on Local Government.

**Assembly Bill No. 303**—An act to add Section 1957 to the Government Code, relating to the liability of members of fire fighting units in arranging for medical aid to injured persons.

Referred to Committee on Local Government.

**Assembly Bill No. 409**—An act to add Section 14444.2 to the Health and Safety Code, relating to county fire protection districts.

Referred to Committee on Local Government.

**Assembly Bill No. 851**—An act to amend Section 31520.1 of the County Employees Retirement Law of 1937 (Government Code, Part 3, Chapter 3) to establish an alternate member on the retirement board for safety members.

Referred to Committee on Local Government.

**Assembly Bill No. 866**—An act to amend Section 29802 of the Government Code, relating to county warrants.

Referred to Committee on Local Government.

**Assembly Bill No. 1275**—An act amending Section 29610 of the Government Code, relating to convention expenses of county officers.

Referred to Committee on Local Government.

**Assembly Bill No. 1441**—An act to amend Sections 54900, 54901, and 54903 of the Government Code, relating to the filing of statements and maps or plats by cities and districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1442**—An act to amend Section 54902 of the Government Code, relating to the filing of statements and maps or plats by cities and districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1930**—An act to codify the County Waterworks District Act by repealing Chapter 370 of the Statutes of 1913 and adding Division 16 to the Water Code, relating to county waterworks districts.

Referred to Committee on Local Government.

**Assembly Bill No. 3034**—An act to amend Section 28144 of the Government Code, relating to salaries of officers in counties of the forty-fourth class.

Referred to Committee on Local Government.

**Assembly Bill No. 104**—An act to amend Sections 14720.1 and 14720.2 of the Education Code, relating to school district retirement salary plans.

Referred to Committee on Education.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Elections

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 7; committee vote: Ayes 4; absent 3.

DILWORTH, Chairman

Above reported resolution ordered to third reading.

##### Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Public Utilities, to which was referred:

Senate Bill No. 546

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

O'GARA, Chairman

Above reported bill ordered to second reading.

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1443

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 707

Senate Bill No. 1666

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 520

Senate Bill No. 1321

And reports the same correctly re-engrossed.

POWERS, Chairman

#### MOTION TO APPROVE JOURNALS

Senator Powers moved that the Senate Journals for Tuesday, February 24, 1953; Wednesday, February 25, 1953; Thursday, February 26, 1953 and Friday, February 27, 1953, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.



## RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

## Senate Resolution No. 69

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators for the amount set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the 1953 Regular Session of the Legislature:

Senator	County	Mileage	Total at 5 cents per mille
Dorsey, Jess R.	Kern	550	\$27 50
Miller, George, Jr.	Contra Costa	168	8 40

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Way, and Weybret—28.

NOES—None.

## PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Dorsey:

## Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR DORSEY

## Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 3, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

**Senate Bill No. 1942:** By Senator Dorsey—An act to provide for the emergency use of prison labor in earthquake areas, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Senate Concurrent Resolution No. 40:** By Senators Way and Sutton—Relative to the changing of the name of the Russian Gulch State Park to Andrew E. Johnson State Park.

Referred to Committee on Rules.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 658**—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 6, line 10, of the printed bill, strike out "17500 to 17502, inclusive", and insert "17500, 17501, and 17502".

**Amendment No. 2**

On page 15, line 20, of said bill, strike out "manufactured", and insert "manufacturing".

**Amendment No. 3**

On page 21, line 13, of said bill, after "such", insert "fluid".

**Amendment No. 4**

On page 25, line 50, of said bill, strike out "of", and insert "or".

**Amendment No. 5**

On page 27, line 21, of said bill, strike out "hearing", and insert "hearings".

**Amendment No. 6**

On page 29, line 26, of said bill, after "sell", insert "to".

**Amendment No. 7**

On page 31, line 3, of said bill, strike out "(a)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Desmond asked for and was granted unanimous consent to have the following opinion of the Legislative Counsel regarding the amendments to Senate Bill No. 658, and the Cross Reference Table, printed in the Journal following the adoption of the amendments to Senate Bill No. 658 on Second Reading File.

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA  
OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, February 24, 1953

*Hon. Earl D. Desmond*  
*Senate Chamber*

*Senate Bill No. 658—No. 5163*

DEAR SENATOR DESMOND: Pursuant to your request we checked Senate Bill No. 658 quite thoroughly during the recess. We enclose a set of seven amendments.

Amendment No. 1 looks like it does nothing but that is not the case. The present law refers to Section 654a of the Penal Code. That section was codified as Sections 17500, 17501, and 17502 of the Business and

Professions Code in 1941. Section 17500.1 was added to that code in 1949. The reference, therefore, should not include Section 17500.1 as it was never part of Section 654a of the Penal Code.

Amendments 2 to 6, inclusive, correct printer's errors or omissions. Amendment No. 7 deletes an unnecessary subdivision heading (a), because there are no subdivisions of the section affected.

With these amendments the bill will be as accurate a re-enactment of the existing law as we can make it. The text of the bill was carefully proofread against the existing law as it appears in the official bound volumes of the statutes.

Very truly yours,

RALPH N. KLEPS  
Legislative Counsel  
By JOSEPH W. PAULUCCI  
Deputy

#### CROSS-REFERENCE TABLE

Disposition of provisions of Chapters 11, 12, and 13 of Division 4 of the Agricultural Code in bill transferring said provisions to Chapters 15, 16, and 17 of Division 6 of said code.

Chapter 11. Produce Exchanges: to become Ch. 15, Div. 6.

##### *Sec. Present Law*

727  
727.2  
727.4  
727.6  
728  
728.2  
728.4  
728.6  
729  
729.2  
729.4  
729.6

##### *Sec. in Bill*

4000  
4001  
4002  
4003  
4004  
4005  
4006  
4007  
4008  
4009  
4010  
4011

Chapter 12. Marketing of Milk and Other Dairy Products: to become Ch. 16, Div. 6.

##### *Sec. Present Law*

730, 1st paragraph  
730, 2d paragraph  
730, 3d paragraph  
730, 4th paragraph  
730, 5th paragraph  
730, 6th paragraph  
730, 7th paragraph  
730, 8th paragraph  
730.2, 1st clause  
730.2, subd. (a)  
730.2, subd. (b)  
730.2, subd. (c), 1st clause  
730.2, subd. (c), subparagraph (1)  
730.2, subd. (c), subparagraph (2)  
730.2, subd. (c), subparagraph (3)  
730.2, subd. (d)  
730.2, subd. (e)  
730.2, subd. (f)  
730.2, subd. (g)  
730.2, subd. (h)  
730.2, subd. (i)  
730.2, subd. (j)  
730.2, subd. (k)

##### *Sec. in Bill*

4101  
4102  
4103  
4104  
4105  
4106  
4107  
4108  
4125  
4126  
4127  
4128  
4129  
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4132  
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4139

*Sec. Present Law**Sec. in Bill*

730.2, subd. (l)	4140
730.2, next to last paragraph	4141
730.2, last paragraph	4142
730.4	4150
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731.2	4161
731.4	4162
732	4163
732.2	4175
732.4	4176
733	4180
733.2	4182
733.4	4181
734	4190
734.5	4195
735, subd. (a)	4200
735, subd. (b)	4201
735, subd. (c)	4202
735, subd. (d)	4203
735, subds. (a) to (d), incl.	4204
735, last paragraph	4205
735.2	4240
735.3, subd. (a)	4211
735.3, subd. (b), 1st clause	4212, 4225
735.3, subd. (b), subparagraph 1	4226
735.3, subd. (b), subparagraph 2	4227
735.3, subd. (b), subparagraph 3	4228
735.3, subd. (b), subparagraph 4	4229
735.3, subd. (b), subparagraph 5	4230
735.3, subd. (c)	4213
735.3, subd. (d)	4214
735.3, subd. (e)	4215
735.3, subd. (f)	4216
735.3, subd. (ff)	4217
735.3, subd. (g)	4218
735.3, subd. (h)	4219
735.3, subd. (i)	4220
735.3, subd. (j)	4221
735.3, subd. (k)	4222
735.4, subd. (a)	4241
735.4, subd. (b), 1st clause	4242
735.4, subd. (b), subparagraph (1)	4243
735.4, subd. (b), subparagraph (2)	4244
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CONSIDERATION OF DAILY FILE (RESUMED)  
 SECOND READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 29**—An act to amend Section 274 of the Agricultural Code, relating to the importation of bees, used hives or appliances.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "appliances", insert ", declaring the urgency thereof, to take effect immediately."

**Amendment No. 2**

On page 2, of said bill, after line 30, insert

"Sec. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The present law requires that bee hives and other bee-keeping appliances brought into this State be stamped with an indelible official stamp showing the state of origin and the date of inspection of the shipment by the apiary inspector or similar official in the state of origin. In some of the states no provision has been made for the use of such stamps. The bee keepers in this State and elsewhere commonly move their colonies of bees from one seasonal location to another and in doing so frequently cross state lines. The requirement of a stamp of the state of origin and date of inspection, therefore, operates as an unnecessary impediment to the normal operations of the apiary industry. Inasmuch as the seasonal movement of bees occurs principally in the summer months it is necessary that this act take immediate effect in order that its benefits will be available during the 1953 production season."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 31**—An act to amend Section 281.6 of the Agricultural Code, relating to wax-salvage operations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 2, line 19, of the printed bill, after "minutes", insert "in a solution of lye water."

**Amendment No. 2**

On page 2 of said bill, strike out lines 21 and 22, and insert "or shall be boiled not less than 20 minutes in a solution of lye water."

In lieu of either of the above treatments, the frames,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 32**—An act to amend Section 275.5 of the Agricultural Code, relating to transportation of bees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 293**—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 482**—An act to amend Section 793 of the Agricultural Code, relating to standards for berries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 30**—An act to amend Section 284 of the Agricultural Code, relating to the spread of bee diseases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, between lines 11 and 12, of the printed bill, insert "It is unlawful to transport supers of bee combs unless such supers are tightly covered so as to prevent exposure to bees."

**Amendment No. 2**

On page 1 of said bill, strike out lines 14 to 19, inclusive, and insert "as to prevent access by bees, are public nuisances, and it is unlawful to maintain the same. Any such neglected or abandoned hives shall be subject to seizure".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 231**—An act to amend Section 2046 of the Penal Code, relating to the state correctional system.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 232**—An act to amend Section 5003 of the Penal Code, relating to the correctional system.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 238**—An act to amend Section 5093 of the Penal Code, relating to the maximum gross annual production of enterprises subject to the jurisdiction of the Correctional Industries Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 244**—An act to amend Section 5061 of the Penal Code, relating to the payment of burial expenses and charges related thereto of persons confined in any state institution subject to the jurisdiction of the Director of Corrections.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1226**—An act to add Section 3300.6 to the Health and Safety Code, relating to the payment of burial expenses of tuberculosis patients in institutions subject to the jurisdiction of the Department of Corrections.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 49**—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 2 of the title of the printed bill after "standards", insert "declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2 of said bill, strike out lines 40 to 50, inclusive, and on page 3, strike out lines 1 to 4, inclusive, and insert

"Jumbo, stalks which are not less than thirteen-sixteenths inch in diameter.

Large, stalks which are not less than seven-sixteenths inch in diameter.

Standard, stalks which are not less than six-sixteenths inch in diameter.

Small, shall consist of asparagus in which more than 10 percent of the stalks are less than six-sixteenths inch in diameter.

"Diameter" measurement shall mean the widest portion of the cross section measured at the largest point on the stalk.

The size designation requirements as herein established shall apply to all stalks of asparagus in each container, except that in the case of the Jumbo, Large and Standard sizes 10 percent, by count, of the stalks in any container may be smaller than the size designation specified."

#### Amendment No. 3

On page 3 of the printed bill, after line 40, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Most of the size specifications for asparagus in the present law contain a maximum and minimum diameter requirement so that the stalks of asparagus as taken from the field must be graded by hand to meet the size limitations, thereby requiring excessive labor as compared with the grading process necessary to meet only the minimum size. Grading of the asparagus to a minimum and maximum size requirement may seriously disrupt the marketing of asparagus during the current season. Therefore, in order to permit the orderly marketing of asparagus now being harvested it is necessary that this act take immediate effect."

#### Amendment No. 4

On page 1, line 8, of said bill, strike out "any other cause", and insert "other causes".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 764**—An act to amend Section 1101 of, and to add 1103.35 to, the Agricultural Code, relating to eggs.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 2, line 25, of the printed bill, immediately following "black", insert ", dark purple or dark blue".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 480**—An act to amend Section 961 of the Agricultural Code, relating to seed potato certification.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 1, line 7, of the printed bill, following "seed", insert "potatoes".

##### Amendment No. 2

On page 1 of said bill, strike out line 17, and insert "acres of seed potatoes so certified. All such certified seed potatoes shall be".

##### Amendment No. 3

On page 1, line 23, of said bill, strike out "potato seed", and insert "seed potatoes".

##### Amendment No. 4

On page 1 of said bill, after line 24, add "It shall be unlawful to sell potatoes grown in this State as certified seed potatoes unless such potatoes shall have been inspected and certified by the director as herein provided."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1650**—An act to amend Sections 5, 12, 27, and 72 of, and to add Sections 27.5 and 27.6 to, the Drainage District Act of 1903, relating to the organization and government of drainage districts, validating districts organized pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 538**—An act to amend Section 34153 of the Water Code, relating to California water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

##### Amendment No. 1

On page 1 of the printed bill, after line 11, insert

"The urgent need for an immediate water supply for irrigation and other agricultural purposes in many now developed agricultural areas within the central valley of this State wherein there is no water supply available except such as may be acquired from or through the limited and unallocated supply of the Central Valley Project, of which limited and unallocated supply some has been tentatively allocated for the supply of such areas by and through water districts yet to be formed, coupled with the existence of previously formed irrigation districts and other governmental agencies and districts in such areas as made necessary by the increasing population of the State, has created a condition wherein it is impracticable or impossible to form water districts in one contiguous body and, in such instances, the water tentatively allocated to such areas might be permanently allocated to other areas or for other than agricultural purposes, and any delay in the formation of water districts in such areas would expose the agricultural development now existing therein to irreparable loss and render future or further development impossible, and the objects of the Water District Act cannot be feasibly or economically achieved and are defeated by the requirement of contiguity. It is therefore necessary that this act shall take effect immediately."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 209**—An act to amend Section 225 of the Labor Code, relating to violation of certain laws relating to payment of wages.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "225", and insert "226".

##### Amendment No. 2

Strike out line 2 of the title of said bill, and insert "wage deduction statements".

##### Amendment No. 3

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 226 of the Labor Code is amended to read:  
226. Every employer shall semimonthly or at the time of each payment of wages furnish each of his employees either as a detachable part of the check, draft, or voucher paying the employee's wages, or separately, an itemized statement in writing showing all deductions made from such wages; provided, all deductions made on written orders of the employee may be aggregated and shown as one item. *The failure to furnish the statement required by this section after an order to do so issued by the Labor Commissioner constitutes a misdemeanor.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 276**—An act to add Section 11007.6 to the Government Code, relating to the powers of the Department of Finance with respect to insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "Sections", insert "100.7 and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 373**—An act to amend Sections 10270.9, 10270.93, and 10270.95 of, and to add Section 10270.94 to, the Insurance Code, relating to disability insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7, 8, and 9, and insert "ter as meeting in substance the reasonably applicable provisions and requirements of either Articles 3, 4 or 5 of this chapter or Articles 3a, 4a or 5a of this chapter; provided, however, that the insurer may,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 819**—An act to amend Section 12974 of the Insurance Code, relating to moneys in the Insurance Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 375**—An act to add Sections 1764, 1764.2, 1764.3, 1764.4, 1764.5, and 1764.7 to the Insurance Code, relating to surplus line brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 2, of the printed bill, strike out lines 1, 2 and 3, and insert "such policy to the insured or his representative, and, if such delivery is not made within 30 days after the date of the issuance of such certificate or upon which the risk has been bound or the insured or applicant has been advised that coverage has been or will be obtained, he shall deliver to the insured either:".

**Amendment No. 2**

On page 2, line 4, of said bill, strike out "(2)", and insert "(a)".

**Amendment No. 3**

On page 2, line 5, of said bill, strike out the period, and insert "or".

**Amendment No. 4**

On page 2, between lines 5 and 6, of said bill, insert

"(b) If the nonadmitted insurer is located outside the United States, a cover note, placing slip or similar document evidencing coverage issued or certified to by any broker located outside the United States who actually placed such insurance with the nonadmitted insurer."

**Amendment No. 5**

On page 2, line 9, of said bill, strike out "and", and insert "or".

**Amendment No. 6**

On page 2, line 11, of said bill, after "and", insert a comma; and after "person", insert ", both it and any document issued or certified by the placing broker pursuant to subsection (b) of Section 1764.3 must contain".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 594**—An act to amend Section 2073 of, and to add Section 2074.6 to, the Insurance Code, relating to the standard form fire insurance policy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 4 of the printed bill, strike out "Ronaldson", and insert "and in a style not less legible than Century".

**Amendment No. 2**

In line 5 of said bill, strike out "Ronaldson", and insert "and in a style not less legible than Century".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1332**—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers of admitted insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "California".

**Amendment No. 2**

On page 1, line 3 of said bill, strike out "An", and insert "1101. An".

**Amendment No. 3**

On page 1 of said bill, strike out lines 17 to 22, inclusive, and in line 23, strike out "on them," and insert "an insurer, other than life,".

**Amendment No. 4**

On page 1, line 24, of said bill, strike out "their", and insert "its".

**Amendment No. 5**

On page 1, line 25, of said bill, strike out "their", and insert "its".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 736**—An act to amend Section 304.3 of the Code of Civil Procedure and Sections 68090 and 68091 of the Government Code, relating to fees of interpreters and translators.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 186**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 10, of the printed bill, after the word "with", insert "(1)", and after the word "land", insert "owned or being acquired by the State or (2)".

##### Amendment No. 2

On page 1 of said bill, strike out lines 16 to 19, inclusive, and insert "The director shall not institute any proceedings in eminent domain under this section unless he first finds that the public interest and necessity require the acquisition, construction or completion of the improvement for which the property or interest in property is required and that the property or interest described in his findings is necessary for the improvement."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 1010**—An act to amend Sections 11712, 11713, and 11714 of the Health and Safety Code, and Section 1203 of the Penal Code, relating to narcotics.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 9, of the printed bill, strike out "maximum", and insert "minimum".

##### Amendment No. 2

On page 1, line 18, of said bill, strike out "50", and insert "30".

##### Amendment No. 3

On page 1, line 19, of said bill, strike out "maximum", and insert "minimum".

##### Amendment No. 4

On page 1, line 27, of said bill, strike out "10", and insert "five".

##### Amendment No. 5

On page 1, line 27, of said bill, strike out "50", and insert "30".

##### Amendment No. 6

On page 1, line 28, of said bill, strike out "maximum", and insert "minimum".

##### Amendment No. 7

On page 2, line 1, of said bill, after "felony", insert ", other than one involving narcotics,".

##### Amendment No. 8

On page 2, line 7, of said bill, strike out "life with", and strike out line 8 and insert "not less than 10 years nor more than 50 years, and shall not be eligible for parole until he has served the minimum sentence."

If such a person has been previously convicted of a felony under one of the provisions of this act, or of a felony arising out of a violation of law involving narcotics under the laws of the United States or of this or any other state, and if the previous



conviction of a felony involving narcotics is charged in the indictment or information and is found to be true by the jury, upon a jury trial, or is found to be true by the court, upon a court trial, or is admitted by the defendant, he shall be imprisoned in the state prison for not less than 20 years nor more than 50 years, and shall not be eligible for parole until he has served the minimum sentence."

**Amendment No. 9**

On page 2, line 16, of said bill, strike out "five years", and insert "10 years nor more than 50 years,".

**Amendment No. 10**

On page 2, line 18, of said bill, strike out "the second", and insert "any subsequent".

**Amendment No. 11**

On page 2 of said bill, strike out lines 19 to 21, inclusive, and insert "life without possibility of parole."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 28**—An act to amend Sections 117j, 117k, and 117l of the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 123**—An act to amend Section 58.8 of the Code of Civil Procedure and Section 68845 of the Government Code, relating to the office of the Clerk of the Supreme Court.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 677**—An act to add Section 386.5 to the Code of Civil Procedure, relating to the dismissal of a mere stakeholder on affidavit and deposit.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 678**—An act to amend Section 1013 of, and to add Section 1013.5 to, the Civil Code, relating to the removal of improvement from real property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 679**—An act to amend Section 1600 of the Probate Code, relating to requests for special notice of the disposition of property held by a guardian.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 680**—An act to amend Section 296.42 of the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death or the order of the death.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 684**—An act to amend Sections 1180 and 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of instruments.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 685**—An act to amend Section 1263 of the Civil Code, relating to contents of declaration of homestead.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 832**—An act to amend Sections 2084, 2085, and 2086 of, and to add Sections 2084.1, 2084.2, and 2090 to, the Code of Civil Procedure, relating to the production and perpetuation of testimony.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1926**—An act to amend Section 27820 of the Government Code, relating to constables.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 789**—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 2 of the printed bill, in lines 4 to 12, inclusive, strike out Section 5, and insert "5. By the court, upon motion of the defendant, where the cause of action, or some part thereof, arose outside of this State, and it appears from affidavits filed with the court that the forum is not convenient to the parties and witnesses and the dismissal thereof will serve the interests of justice."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1162**—An act to authorize a suit or suits against the State of California to quiet title against it to certain real property situated in the County of Napa, State of California.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 2 of the printed bill, after line 22, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quitclaim deed or otherwise."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 260**—An act making an appropriation for the support of the Porterville State Home, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Institutions:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "the support of", and insert "major construction, improvements, and equipment at".

##### Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "declaring the urgency thereof,".

##### Amendment No. 3

On page 1, lines 1 and 2, of said bill, strike out "five hundred forty-two thousand eight hundred two dollars (\$542,802)", and insert "three million five hundred sixteen thousand two hundred dollars (\$3,516,200)".

**Amendment No. 4**

On page 1, line 3, of said bill, strike out "support of", and insert "major construction, improvements, and equipment at".

**Amendment No. 5**

On page 1, lines 4 and 5, of said bill, strike out ", during the 1952-53 Fiscal Year", and insert "under the provisions of the Budget Act of 1952, in accordance with the following schedule:

(a) Construct seven ward buildings -----	3,049,000
(b) Equip seven ward buildings -----	118,600
(c) Construct library and occupational therapy building -----	214,000
(d) Equip library and occupational therapy building -----	9,000
(e) Firehouse -----	70,000
(f) Equip firehouse -----	22,600
(g) Construct incinerator -----	33,000

Total of schedule ----- 3,516,200"

**Amendment No. 6**

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The need for seven ward buildings and related equipment at the Porterville State Home is urgent. Working drawings are near completion and, if the money for the construction of the buildings can be made available immediately, between four to six months of time will be saved in the completion of the buildings and a considerable saving in money will result if the projects can be advertised before the end of the current fiscal year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 507**—An act to amend Section 28131 of the Government Code, relating to salaries of officers of counties of the thirty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1321**—An act to amend Section 54130 of the Government Code, relating to state loans for public works damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—34.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 520**—An act to amend Section 1 of Chapter 1228 of the Statutes of 1951, to amend Section 74261 of, to repeal Sections 74262, 74263, 74264, and 74265 of, and to add Sections 74262, 74263, and 74264 to, the Government Code, relating to the municipal court in a district embracing the City of San Bernardino.

**Motion to Refer Bill to Inactive File**

Senator Cunningham moved that Senate Bill No. 520 be placed on the inactive file.

Motion carried.

**Senate Bill No. 553**—An act to add Section 2436 to the Business and Professions Code, relating to the practice of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—36.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1666**—An act to amend Section 17721 of, and to add Sections 17360, 17724.1 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 707**—An act to amend Sections 4651.4, 4655.2, 4656.4, 4656.6, and 4657, and to repeal Section 4657.4, of the Revenue and Taxation Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1443**—An act to amend Sections 17316, 17317, and 17357 of the Revenue and Taxation Code, relating to the deduction of charitable gifts for personal income tax purposes, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 19**—Concerning the restoration to Congress of the fixing of tariffs.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Byrne, Collier, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Murdy, Parkman, Powers, Sutton, Thompson, Way, Weybret, and Williams—25.

**NOES**—Senators Breed, Harold T. Johnson, Miller, Montgomery, O'Gara, and Regan—6.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 14**—Relative to flood control works on the San Joaquin River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, and Williams—26.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 66

Senator Ed. C. Johnson moved that Senate Bill No. 66 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 66**—An act to amend Section 23158 of the Government Code, relating to the boundaries of Yuba County.

Bill read second time.

#### Motion to Amend

Senator Ed. C. Johnson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 23151 and".

## Amendment No. 2

In line 2 of the title of said bill, strike out "Yuba County", and insert "counties".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 3

On page 1, of said bill, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 23151 of the Government Code is amended to read:

23151. The boundaries of Sutter County are as follows:

[Beginning at the northwest corner of Sacramento; thence up the Sacramento River to the mouth of Butte Slough; thence down said slough to the dividing line between Secs. 35 and 36, T. 16 N., R. 1 W., M. D. B. & M.; thence north, on the line between Secs. 35 and 36, and Secs. 25 and 26 in said township and range to Butte Creek; thence following said Butte Creek to its intersection with the south line of Sec. 19, T. 17 N., R. 1 E., M. D. B. & M.; thence east on the section lines to the Feather River; thence down the Feather River to the mouth of Bear River; thence up the original or old channel of Bear River as the same was established by official government meander line surveys made by E. Dyer and others prior to 1870, of record in the office of the United States Surveyor General for the State of California, to the northwest corner of Placer; thence along the western boundary of Placer to the southwest corner thereof; thence westerly along the northern boundary of Sacramento to the place of beginning.]

Beginning at the northwest corner of Sacramento County, said northwest corner being at the intersection of the center line of the channel of the Sacramento River with the line dividing Section 12, Township 10 North, Range 3 East, Mount Diablo Base and Meridian into north and south halves; running thence upstream along said center line of the channel of Sacramento River, following the meanderings thereof as said channel was established by official government meander line surveys prior to 1870, of record in the office of the United States Surveyor General for the State of California, to the intersection of said center line of the channel of Sacramento River with the center line of the channel of Butte Slough; thence northeasterly along said center line of the channel of Butte Slough to the intersection of said last named center line with the east line of Section 35, Township 16 North, Range 1 West, Mount Diablo Base and Meridian; thence northerly along said east line of Section 35 and along the extension thereof to the intersection of said east line of Section 35 extended northerly with the center line of the channel of Butte Creek; thence northeasterly and northeasterly along said center line of the channel of Butte Creek upstream following the meanderings thereof to the intersection of said center line of the channel of Butte Creek with the north line of Section 30, Township 17 North, Range 1 East, Mount Diablo Base and Meridian; thence easterly along the north lines of said Section 30, and Sections 29, 28, 27, 26, and 25, of said last named township and range, along the north lines of Sections 30, 29, 28, 27, 26, and 25, Township 17 North, Range 2 East, Mount Diablo Base and Meridian, along the north line of fractional Section 30, Township 17 North, Range 3 East, Mount Diablo Base and Meridian, and along said last named north line of fractional Section 30 produced easterly through Boga Rancho to the intersection of said last named line produced easterly with the center line of the channel of Feather River; thence southerly downstream along said center line of the channel of Feather River following the meanderings thereof, as said channel of Feather River was established by official government meander line surveys prior to 1870, of record in the office of the United States Surveyor General for the State of California, to the intersection of said center line of the channel of Feather River with the center line of the channel of Bear River, said point of intersection being 2100.00 feet south of a monument on the boundary line between the counties of Yuba and Sutter, said monument being south 88° 40' 32" west and distant on said course 3990.00 feet from the southwest corner of Section 32, Township 13 North, Range 4 East, Mount Diablo Base and Meridian; running thence north 2100.00 feet to said monument; thence north 12° 25' 50" east 5472.52 feet to a point which is south 89° 13' 30" west and distant on said course 2840.00 feet from the northwest corner of said Section 32; thence north 28° 05' 20" east 6041.67 feet to the northwest corner of Section 29 of said township and range; thence north 88° 40' 30" east along the north line of said Section 29, 2220.00 feet to a point which is south 88° 36' 20" west and distant on said course 3878.20 feet from the northeast corner of said Section 29; thence north 23° 01' 36" east 7139.33 feet to a point which is north 0° 16' 30" east and distant on said course 6780.00 feet from the southeast corner of Section 20 of said last named township and range and being a point in the center line of the right of way of the Sacramento Northern Railway; thence south 86° 03' 55" east 5334.98 feet to a point which is north 0° 06' 00" west and distant on said course 3620.00 feet from a concrete monument at the southwest corner of Lot 25 of Bear River Gardens Subdivision No. 2; thence north 47° 02' 26" east 6060.57 feet; thence north 82° 44' 27" east 830.00 feet to a point which is north 0° 05' 33" west and

distant on said course 2488.27 feet from a concrete monument at the southwest corner of Lot 1 of Bear River Gardens Subdivision No. 3; thence north  $82^{\circ} 44' 27''$  east 3582.00 feet; thence north  $10^{\circ} 52' 00''$  east 938.34 feet; thence north  $54^{\circ} 20' 00''$  east 641.00 feet; thence north  $0^{\circ} 04' 00''$  east 971.00 feet; thence north  $37^{\circ} 17' 00''$  east 715.00 feet; thence south  $42^{\circ} 50' 00''$  east 692.00 feet; thence south  $81^{\circ} 50' 00''$  east 118.00 feet to a point which is north  $0^{\circ} 13' 30''$  west and distant on said course 2504.99 feet from the southwest corner of Section 12 of said last named township and range; thence south  $81^{\circ} 50' 00''$  east 142.03 feet; thence north  $15^{\circ} 52' 10''$  east 570.02 feet; thence north  $60^{\circ} 01' 10''$  east 245.08 feet; thence north  $69^{\circ} 24' 50''$  east 799.71 feet; thence north  $70^{\circ} 09' 50''$  east 263.24 feet; thence south  $76^{\circ} 42' 25''$  east 691.78 feet; thence south  $78^{\circ} 32' 50''$  east 493.68 feet; thence south  $70^{\circ} 42' 40''$  east 794.33 feet; thence north  $80^{\circ} 36' 30''$  east 450.13 feet; thence north  $58^{\circ} 30' 50''$  east 529.14 feet; thence north  $68^{\circ} 57' 10''$  east 993.96 feet to a point which is north  $0^{\circ} 03' 30''$  west and distant on said course 3390.71 feet from the southeast corner of said Section 12; thence north  $69^{\circ} 57' 40''$  east 774.51 feet; thence north  $44^{\circ} 02' 50''$  east 650.79 feet; thence north  $60^{\circ} 57' 20''$  east 617.99 feet; thence north  $71^{\circ} 37' 20''$  east 974.27 feet; thence north  $78^{\circ} 44' 50''$  east 925.30 feet; thence south  $76^{\circ} 01' 50''$  east 1301.54 feet to a point which is north  $0^{\circ} 46' 00''$  west and distant on said course 4763.20 feet from the southwest corner of Section 8, Township 13 North, Range 5 East, Mount Diablo Base and Meridian; thence south  $76^{\circ} 20' 00''$  east 205.00 feet; thence south  $88^{\circ} 35' 00''$  east 527.00 feet; thence south  $70^{\circ} 20' 00''$  east 251.00 feet; thence south  $45^{\circ} 50' 00''$  east 867.00 feet; thence south  $35^{\circ} 07' 00''$  east 500.00 feet; thence south  $55^{\circ} 20' 00''$  east 169.00 feet; thence south  $58^{\circ} 20' 00''$  east 428.00 feet; thence north  $39^{\circ} 25' 35''$  east 816.05 feet; thence south  $70^{\circ} 50' 00''$  east 1365.00 feet; thence north  $65^{\circ} 40' 00''$  east 435.00 feet; thence south  $77^{\circ} 20' 00''$  east 270.00 feet; thence north  $72^{\circ} 50' 04''$  east 555.45 feet to a point which is north  $0^{\circ} 00' 39''$  west and distant on said course 3646.71 feet from the southeast corner of said Section 8; thence north  $73^{\circ} 05' 51''$  east 1379.31 feet; thence north  $22^{\circ} 11' 28''$  east 231.36 feet; thence north  $88^{\circ} 05' 00''$  east 352.00 feet; thence north  $73^{\circ} 45' 00''$  east 300.00 feet; thence north  $45^{\circ} 10' 00''$  west 448.00 feet; thence north  $75^{\circ} 50' 00''$  east 101.00 feet; thence north  $50^{\circ} 05' 00''$  east 237.00 feet; thence north  $77^{\circ} 53' 08''$  east 584.63 feet; thence north  $23^{\circ} 20' 00''$  east 472.00 feet; thence north  $65^{\circ} 30' 00''$  east 190.00 feet; thence south  $30^{\circ} 00' 00''$  east 405.00 feet; thence north  $54^{\circ} 00' 00''$  east 441.00 feet; thence north  $36^{\circ} 45' 00''$  east 515.00 feet; thence north  $63^{\circ} 30' 00''$  east 438.00 feet; thence north  $66^{\circ} 24' 35''$  east 720.53 feet; thence north  $40^{\circ} 30' 00''$  east 386.00 feet; and thence south  $86^{\circ} 00' 00''$  east 217.00 feet to a point on the east line of Section 4 of said Township 13 North, Range 5 East, said point being north  $0^{\circ} 16' 05''$  west and distant on said course 1343.08 feet from the southeast corner of said Section 4, and said point being the corner common to Sutter and Placer Counties on the southerly line of Yuba County; thence southerly along the east line of said Section 4 and along the east lines of Sections 9, 16, 21, 28, and 33 of said township and range to the southeast corner of said Section 33; thence westerly along the south line of said Section 33 and along the south lines of Sections 32 and 31 of said last named township and range to the southwest corner of said Section 31; thence southerly along the range line between Township 12 North, Range 4 East and Township 12 North, Range 5 East and along the range line between Township 11 North, Range 4 East and Township 11 North, Range 5 East, Mount Diablo Base and Meridian to the southeast corner of Section 36 of said Township 11 North, Range 4 East; thence westerly along the south line of said Section 36 to the northeast corner of fractional Section 1 of Township 10 North, Range 4 East, Mount Diablo Base and Meridian; thence southerly along the east line of fractional Section 1 and along the east line of Section 12 of said last named township and range to the intersection of said east line of Section 12 with the northerly line of Sacramento County, said intersection being south  $85^{\circ} 15' 00''$  east of a point on the line dividing Section 11 of said last named township and range into north and south halves, said point being 2121.00 feet westerly measured along said half section line from the quarter section corner between said Section 11 and 12, and said northerly line of Sacramento County being a direct line drawn from said point on the line dividing Section 11 into north and south halves to the junction of the north and south forks of the American River; thence north  $85^{\circ} 15' 00''$  west to said point on the line dividing Section 11 into north and south halves; and thence westerly along said line dividing Section 11 into north and south halves, along the lines dividing Sections 10, 9, 8, and 7 of said last named township and range and along said line dividing Section 12 of Township 10 North, Range 3 East, Mount Diablo Base and Meridian into north and south halves to the point of beginning.

SEC. 2. Section 23158 of said code is amended to read:

23158. The boundaries of Yuba County are as follows:

Beginning at the southwest corner at a point at the intersection of the center of the channel of Bear River with the center of the channel of Feather River, said point being 2100.00 feet south of a monument on the boundary line between the counties of Yuba and Sutter, said monument being south  $88^{\circ} 40' 32''$  west and distant on said course 3990.00 feet from the southwest corner of Section 32, Township 13 North, Range 4 East, Mount Diablo Base and Meridian; running thence north 2100.00 feet to said monument; thence north  $12^{\circ} 25' 50''$  east 5472.52 feet to a point which is south  $89^{\circ}$



13° 30' west and distant on said course 2840.00 feet from the northwest corner of said Section 32; thence north 28° 05' 20" east 6041.67 feet to the northwest corner of Section 29 of said Township and Range; thence north 88° 40' 30" east along the north line of said Section 29, 2229.00 feet to a point which is south 88° 36' 20" west and distant on said course 3878.20 feet from the northeast corner of said Section 29; thence north 23° 01' 36" east 7439.33 feet to a point which is north 0° 16' 30" east and distant on said course 6780.00 feet from the southeast corner of Section 20 of said Township and Range and being a point in the centerline of the right of way of the Sacramento Northern Railway; thence south 86° 03' 55" east 5334.38 feet to a point which is north 0° 06' 00" west and distant on said course 3620.00 feet from a concrete monument at the southwest corner of Lot 25 of Bear River Gardens Subdivision No. 2; thence north 47° 02' 26" east 6060.57 feet; thence north 82° 44' 27" east 830.00 feet to a point which is north 0° 05' 43" west and distant on said course 2488.27 feet from a concrete monument at the southeast corner of Lot 1 of Bear River Gardens Subdivision No. 3; thence north 82° 44' 27" east 3582.00 feet; thence north 10° 52' 00" east 938.34 feet; thence north 54° 20' 00" east 641.00 feet; thence north 0° 04' 00" east 971.00 feet; thence north 37° 17' 00" east 715.00 feet; thence south 42° 50' 00" east 692.00 feet; thence south 81° 50' 00" east 118.00 feet to a point which is north 0° 13' 30" west and distant on said course 3504.99 feet from the southeast corner of Section 12 of said Township and Range; thence south 81° 50' 00" east 142.03 feet; thence north 15° 52' 10" east 570.02 feet; thence north 60° 01' 10" east 245.08 feet; thence north 69° 24' 50" east 799.71 feet; thence north 70° 09' 50" east 283.24 feet; thence south 76° 42' 25" east 691.58 feet; thence south 78° 32' 50" east 434.68 feet; thence south 70° 42' 40" east 794.33 feet; thence north 80° 36' 30" east 450.13 feet; thence north 58° 30' 50" east 529.14 feet; thence north 68° 57' 10" east 993.96 feet to a point which is north 0° 03' 30" west and distant on said course 3390.71 feet from the southeast corner of said Section 12; thence north 69° 57' 40" east 774.51 feet; thence north 44° 02' 50" east 659.79 feet; thence north 60° 57' 20" east 617.99 feet; thence north 71° 37' 20" east 974.27 feet; thence north 78° 44' 50" east 925.30 feet; thence south 76° 01' 50" east 1301.54 feet to a point which is north 0° 46' 00" west and distant on said course 4763.20 feet from the southwest corner of Section 8, Township 13 North, Range 5 East, Mount Diablo Base and Meridian; thence south 76° 20' 00" east 205.00 feet; thence south 88° 35' 00" east 527.00 feet; thence south 70° 20' 00" east 251.00 feet; thence south 43° 50' 00" east 867.00 feet; thence south 35° 05' 00" east 500.00 feet; thence south 55° 20' 00" east 169.00 feet; thence south 58° 20' 00" east 428.00 feet; thence north 39° 25' 35" east 816.05 feet; thence south 70° 50' 00" east 1365.00 feet; thence north 65° 40' 00" east 435.00 feet; thence south 77° 20' 00" east 270.00 feet; thence north 72° 50' 04" east 555.45 feet to a point which is north 0° 00' 39" west and distant on said course 3616.71 feet from the southeast corner of said Section 8; thence north 73° 05' 51" east 1379.31 feet; thence north 22° 11' 28" east 231.36 feet; thence north 88° 05' 00" east 352.00 feet; thence north 73° 45' 00" east 300.00 feet; thence north 45° 10' 00" west 448.00 feet; thence north 72° 50' 00" east 101.00 feet; thence north 50° 05' 00" east 257.00 feet; thence north 77° 53' 08" east 584.63 feet; thence north 23° 20' 00" east 72.00 feet; thence north 65° 30' 00" east 190.00 feet; thence south 50° 00' 00" east 405.00 feet; thence north 51° 00' 00" east 441.00 feet; thence north 36° 45' 00" east 515.00 feet; thence north 63° 30' 00" east 438.00 feet; thence north 66° 24' 35" east 729.53 feet; thence north 40° 30' 00" east 386.00 feet; and thence south 86° 00' 00" east 217.00 feet to a point on the east line of Section 4 of said Township 13 North, Range 5 East, said point being north 0° 16' 05" west and distant on said course 1343.08 feet from the southeast corner of said Section 4, and said point being the corner common to Sutter and Placer Counties on the southerly line of Yuba County; thence easterly upstream along the centerline of the original or old channel of Bear River as said channel was established by official government meander line surveys prior to 1879, of record in the office of the United States Surveyor General for the State of California, to the southeasterly corner of Nevada County, said corner being a point in the center of said channel of Bear River which point is south at the point of intersection of the centerline of the main channel of Yuba River with the centerline of the channel of Deer Creek; thence north to said point of intersection of the main channel of Yuba River with the centerline of Deer Creek; thence northeasterly upstream along said centerline of the main channel of Yuba River to the intersection of said centerline of the main channel of Yuba River with the centerline of the channel of the Middle Yuba River; thence northeasterly and easterly upstream, along said centerline of the channel of the Middle Yuba River ten miles to the southeasterly corner of Sierra County; thence northerly along the boundary line between Yuba and Sierra Counties in a direct line to Cateye Foster's Bar on the North Yuba River; thence northeasterly downstream along the centerline of the channel of said North Yuba River to the intersection of said centerline of North Yuba River with the centerline of Big Cannon Creek, also known as Cannon Creek; thence northeasterly upstream along said centerline of the channel of Big Cannon Creek four miles; thence northerly in a direct line to the corner common to Yuba and Sierra Counties on the southeasterly line of Plumas County in the center of Slate Creek; thence southeasterly along said southeasterly line of Plumas County in a direct line to the corner common to Plumas, Butte and Yuba Counties situated in the northwest quarter of Section 15, Township 20 North,



Range 8 East, Mount Diablo Base and Meridian and indicated by a large spruce tree standing in front of Buckeye House; thence southerly in a direct line to the southeast corner of Section 16 of said township and range last named; thence westerly along the south line of said Section 16 and along the south line of Section 17 of said last named township and range to the quarter section corner between said Section 17 and Section 20 of said last named township and range; thence southerly along the line dividing said Section 20 and Section 29 of said last named township and range into east and west halves to the southeast corner of the northeast quarter of the northwest quarter of said Section 29; thence westerly along the south line of said northwest quarter of the northwest quarter of Section 29 and along the south line of the northwest quarter of said northwest quarter of Section 29 to the southwest corner of said northwest quarter of the northwest quarter of Section 29; thence southerly along the west line of said Section 29 to the quarter section corner between said Section 29 and Section 30 of said last named township and range; thence westerly along the line dividing said Section 30 and Section 25 of Township 20 North, Range 7 East, Mount Diablo Base and Meridian into north and south halves to the center of said Section 25; thence southerly along the line dividing said Section 25 into east and west halves to the quarter section corner between said Section 25 and Section 36 of said last named township and range; thence westerly along the north line of said Section 36 to the northwest corner of said Section 36; thence southerly along the west line of said Section 36 and along the west line of Section 1 of Township 19 North, Range 7 East, Mount Diablo Base and Meridian, to the southwest corner of said Section 1; thence westerly along the north line of Section 11 of said last named township and range to the quarter section corner between said Section 11 and Section 2 of said last named township and range; thence southerly to the center of said Section 11; thence westerly along the line dividing said Section 11 and Section 10 of said last named township and range into north and south halves to the quarter section corner between said Section 10 and Section 9 of said last named township and range; thence northerly along the east line of said Section 9 to the northeast corner of said Section 9; thence westerly along the north line of said Section 9 and the north lines of Sections 8 and 7 of said last named township and range to the northwest corner of said Section 7; thence southerly along the west line of said Section 7 to the southwest corner of said Section 7; thence westerly along the southerly line of Sections 12 and 11 of Township 19 North, Range 6 East, Mount Diablo Base and Meridian to the southwest corner of said Section 11; thence northerly along the west line of said Section 11 to the quarter section corner between said Section 11 and Section 10 of said last named township and range; thence westerly along the line dividing said Section 10 and Section 9 of said last named township and range into north and south halves to the center of said Section 9; thence southerly along the line dividing said Section 9 and Section 16 of said last named township and range into east and west halves to the quarter section corner between said Section 16 and Section 21 of said last named township and range; thence westerly along the north line of said Section 21 to the northeast corner of the northwest quarter of the northwest quarter of said Section 21; thence southerly along the east line of said northwest quarter of the northwest quarter of Section 21, the east line of the southwest quarter of the northwest quarter of said Section 21 and the east line of the northwest quarter of the southwest quarter of said Section 21 to the southeast corner of said northwest quarter of the southwest quarter of Section 21; thence westerly along the south line of said northwest quarter of the southwest quarter of Section 21 to the southwest corner of said northwest quarter of the southwest quarter of Section 21; thence southerly along the west line of said Section 21 and Section 28 of said last named township and range, to the quarter section corner between said Section 28 and Section 29 of said last named township and range; thence westerly along the line dividing said Section 29 into north and south halves to the center of said Section 29; thence southerly along the line dividing said Section 29 into east and west halves to the quarter section corner between said Section 29 and Section 32 of said last named township and range; thence westerly along the north line of said Section 32 to the northwest corner of said Section 32; thence southerly along the west line of said Section 32 to the northeast corner of the southeast quarter of the northeast quarter of Section 31 of said last named township and range; thence westerly to the northwest corner of said southeast quarter of the northeast quarter of Section 31; thence southerly along the west line of said southeast quarter of the northeast quarter of Section 31, the west line of the northeast quarter of the southeast quarter of said Section 31 and the west line of the southeast quarter of the southeast quarter of said Section 31 to the south line of said Section 31; thence westerly along said south line of Section 31 to the intersection of said south line of Section 31 with the centerline of the channel of Honcut Creek; thence southwesterly downstream along the centerline of the channel of Honcut Creek, following the meanderings thereof as said channel is shown on the map entitled, "Map of Re-Survey of Part of the Line between the Counties of Butte and Yuba Cal. following Line of Honcut Creek as established by Wescoatt and Henning in 1859, surveyed in the Month of November 1901 by orders of the Boards of Supervisors of the Counties of Butte and Yuba by Jason R. Meek County Surveyor Yuba County B. L. McCoy, County Surveyor Butte County," to the intersection of said center of the channel of Honcut Creek with the centerline of the channel of Feather River; thence southerly along the centerline of the channel of Feather River following the meanderings thereof as said channel was

*established by official government meander line surveys prior to 1870, of record in the office of the United States Surveyor General for the State of California to the point of beginning."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Joint Resolution No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Concurrent Resolution No. 41:** By Senators Mayo and Harold T. Johnson—Relative to the death of Robert M. Searls.

### Request for Unanimous Consent

Senator Mayo asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41, at this time, for consideration.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

**Senate Concurrent Resolution No. 41**—Relative to the death of Robert M. Searls.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—39.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Constitutional Amendment No. 30:** By Senator Dilworth—  
A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article XIV of said Constitution, relating to the acquisition of property by governmental agencies.

Referred to Committee on Governmental Efficiency.

**ADJOURNMENT**

At 3.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Wednesday, March 4, 1953.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, March 4, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Ward, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal H. F. Wiepking, Parents Mrs. Clifton Lamb, Mrs. Clift Burrier, Mrs. Gordon Leiser, and the following students of the Robbins-Sutter Union Elementary School, Robbins: Rosamond Lamb, Richard Mills, John Hall, Gary Van Zandt, Shirley Belle Thames, Frances Burrier, Kenneth Wilms, Marilyn Haefke, David Hight, Deanna Van Zandt, Darlene Eastman, Fred Leiser, Mary Alice Guidry, Joeanna Gage, Mary Jane Burrier, Jerry Murphy, Clairlee Leiser.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alan G. Orsborn, Mayor, Mack E. Wright, Councilman, Fred W. Sharp, Administrator,

Roy O. Day, President, Chamber of Commerce, Harry Faull, Businessman, all of Pomona and Leo Bullene of Pacific Grove.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kenneth Morley, Mayor of City of Merced, Glenn Fountain member Merced County Board of Supervisors, and the following businessmen of Merced: Thomas Griffin, George Mack, Lee Hutchins, Harry Lemmon, and Emory Upton.

On request of Senators Burns and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Fretwell of Sacramento.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ken Gilbert of Santa Rosa.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Otto Sargent, Albert R. Tully and Wade N. Hover of San Jose and Glen Baker of Los Gatos.

On request of Senators Sutton and Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Honorable Benjamin C. Jones, Superior Judge of Lake County.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Honorable Ben R. Ragain, Superior Judge of Colusa County and Honorable Timothy Belieu, Superior Judge of Glenn County.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 3, 1953

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

DR. WILLIAM J. KERR, a resident of Blue Lake; physician; graduate of the University of California in 1912; professor of medicine, University of California Medical School 1916-1952; president of the American Heart Association 1937-39;

to the Board of Trustees, Mendocino State Hospital, vice W. D. Ford, resigned, for the term prescribed by law, ending four years from the date of the commission.

Respectfully,

EARL WARREN, Governor

Message read, and referred to the Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 2, 1953

##### *To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

J. J. PRENDERGAST, a resident of Redlands; president of the Bear Valley Mutual Water Company; member of the State Board of Forestry since January 10, 1944; to the State Board of Forestry (representing beneficial use of water), vice self, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read and referred to the Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 288  
Assembly Bill No. 309  
Assembly Bill No. 618  
Assembly Bill No. 799  
Assembly Bill No. 801  
Assembly Bill No. 802  
Assembly Bill No. 803  
Assembly Bill No. 850  
Assembly Bill No. 1149  
Assembly Bill No. 1412

Assembly Bill No. 1745  
Assembly Bill No. 1863  
Assembly Bill No. 1867  
Assembly Bill No. 1868  
Assembly Bill No. 1884  
Assembly Bill No. 1895  
Assembly Bill No. 2148  
Assembly Bill No. 2149  
Assembly Bill No. 2228

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 288**—An act to amend Section 28160 of the Government Code, relating to compensation for public services.

Referred to Committee on Local Government.

**Assembly Bill No. 309**—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, for public purposes and benefits, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 618**—An act to amend Section 511 of the Vehicle Code, relating to the regulation of speeds on state highways.

Referred to Committee on Transportation.

**Assembly Bill No. 799**—An act to amend Section 14108 of the Education Code, relating to school district merit systems for noncertificated employees.

Referred to Committee on Education.

**Assembly Bill No. 801**—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

Referred to Committee on Education.

**Assembly Bill No. 802**—An act to amend Section 13442 of the Education Code, relating to the payment of expenses of teachers' institutes.

Referred to Committee on Education.

**Assembly Bill No. 803**—An act to amend Section 6193 of the Education Code, relating to warrants for school district funds.

Referred to Committee on Education.

**Assembly Bill No. 850**—An act to amend Section 14722 of the Education Code, relating to school district retirement salary plans.

Referred to Committee on Education.

**Assembly Bill No. 1149**—An act to add Section 19635 to the Government Code, relating to the state civil service.

Referred to Committee on Judiciary.

**Assembly Bill No. 1412**—An act to add Section 14137.5 to the Education Code, relating to school district merit systems.

Referred to Committee on Education.

**Assembly Bill No. 1745**—An act to amend Section 18006 of the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1863**—An act to codify the Agricultural Producers Marketing Act by adding Chapter 11 to Division 6 of the Agricultural Code and repealing Chapter 754 of the Statutes of 1933, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

**Assembly Bill No. 1867**—An act to codify the California Agricultural Products Marketing Act of 1937 by adding Chapter 12 to Division 6 of the Agricultural Code and repealing Chapter 307 of the Statutes of 1935, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

**Assembly Bill No. 1868**—An act to codify the California Agricultural Products Marketing Act of 1943 by adding Chapter 13 to Division 6 of the Agricultural Code and repealing Chapter 516 of the Statutes of 1943, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

**Assembly Bill No. 1884**—An act to codify certain statutes relating to the system of education and schools of the State, by adding Article 12 to Chapter 1 of Division 5 of the Education Code, Section 20463 to said code, Chapter 7 to Division 12 of said code, and Article 3 to Chapter 6 of Division 12 of said code, and to repeal certain acts specified herein.

Referred to Committee on Education.

**Assembly Bill No. 1895**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of state and local government by adding Sections 185, 1229, 6852, 12574, 16301.5, 26027, 26028, 27336, and 37360, to the Government Code; Article 4.5 to Chapter 1 of Division 1 of Title 1 of said code; Chapter 3 to Division 2 of Title 1 of said code; Article 5 to Chapter 2 of Division 4 of Title 1 of said code; Article 5 to Chapter 1 of Division 7 of Title 1 of said code; Chapters 6.5 and 10 to Division 7 of Title 1 of said code; Chapter 5 to



Division 1 of Title 2 of said code; Chapter 9 to Part 3 of Division 3 of Title 2 of said code; Parts 6.5, 8, 10, and 11 to Division 3 of Title 2 of said code; Article 6 to Chapter 2 of Part 2 of Division 4 of Title 2 of said code; Article 3 to Chapter 9 of Part 2 of Division 3 of Title 4 of said code; and by repealing certain acts specified herein.

Referred to Committee on Local Government.

**Assembly Bill No. 2148**—An act to amend Section 11025 of the Education Code, relating to royalties on textbooks written by teachers.

Referred to Committee on Education.

**Assembly Bill No. 2149**—An act to amend Section 13674 of the Education Code, relating to leaves of absence.

Referred to Committee on Education.

**Assembly Bill No. 2228**—An act to add Article 5.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to revenue bonds of county sanitation districts.

Referred to Committee on Local Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 25, 1953, appointing

BERNARD R. CALDWELL, as Commissioner of the California Highway Patrol, vice Clifford E. Peterson, deceased, for the term at the pleasure of the Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Bernard R. Caldwell as the Commissioner of the California Highway Patrol.

The President put the question, "Will the Senate confirm and consent to the appointment of Bernard R. Caldwell?"

The roll was called, with the following result:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—32.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Bernard R. Caldwell as Commissioner of the California Highway Patrol.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 28	Senate Bill No. 680
Senate Bill No. 32	Senate Bill No. 684
Senate Bill No. 123	Senate Bill No. 685
Senate Bill No. 231	Senate Bill No. 736
Senate Bill No. 232	Senate Bill No. 819
Senate Bill No. 238	Senate Bill No. 832
Senate Bill No. 244	Senate Bill No. 1226
Senate Bill No. 293	Senate Bill No. 1650
Senate Bill No. 482	Senate Bill No. 1926
Senate Bill No. 677	Senate Joint Resolution No. 8
Senate Bill No. 678	Senate Joint Resolution No. 17
Senate Bill No. 679	

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 29	Senate Bill No. 538
Senate Bill No. 30	Senate Bill No. 594
Senate Bill No. 31	Senate Bill No. 658
Senate Bill No. 209	Senate Bill No. 764
Senate Bill No. 276	Senate Bill No. 789
Senate Bill No. 373	Senate Bill No. 1162
Senate Bill No. 375	Senate Bill No. 1332
Senate Bill No. 480	

And reports the same correctly engrossed.

POWERS, Chairman

## Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Concurrent Resolution No. 34

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported resolution ordered to second reading.

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 127	Senate Bill No. 1194
Senate Bill No. 136	Senate Bill No. 1224
Senate Bill No. 201	Senate Bill No. 1634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 344
Senate Bill No. 529

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 509

Senate Bill No. 560

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 522

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## Committee on Education

## SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 249

Senate Bill No. 888

Senate Bill No. 817

Senate Bill No. 1022

Senate Bill No. 876

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 286

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; noes 3; absent 2.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 3, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 314

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## Committee on Public Health and Safety

## SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 706

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Senate Bill No. 747

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Senate Bill No. 1940

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bill re-referred to Committee on Finance.

#### Committee on Transportation

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred: Senate Bill No. 761

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred: Senate Bill No. 762

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

#### RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

##### Senate Resolution No. 70

Relative to the continuance of the Committee on Civil Service

*Resolved by the Senate of the State of California, as follows:*

1. The Senate Committee on Civil Service created by Senate Resolution No. 121 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.
2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.
3. The provisions of the Joint Rules of the Senate and Assembly (and of the Standing Rules of the Senate), as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.
4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read and referred to Committee on Rules.



**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS  
NOS. 647, 648, 649, AND 650**

Senator Grunsky moved that Senate Bills Nos. 647, 648, 649, and 650 be withdrawn from Committee on Judiciary and re-referred to Committee on Financial Institutions.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 77**

Senator Brown moved that Senate Bill No. 77 be withdrawn from Committee on Labor for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 77**—An act to repeal Sections 1350, 1352, and 1352.1 of, and to add Sections 1350 and 1352 to, the Labor Code, relating to working hours of female employees.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "1350" insert ", 1350.1".

**Amendment No. 2**

On page 1, line 8, of said bill, strike out "When hours in excess of eight (8) in one" and insert

"Sec. 2.5. Section 1350.1 is added to said code, to read:  
1350.1. When hours in excess of eight (8) in one".

**Amendment No. 3**

On page 1, line 13, of said bill, strike out "section" and insert "article".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 860**

Senator Abshire moved that Senate Bill No. 860 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 860**—An act to amend Section 11440 of the Government Code, relating to judicial review and exemptions under the Administrative Procedure Act.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "11440" and insert "11371".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "judicial review and exemptions" and insert "rules and regulations".

**Amendment No. 3**

On page 1, line 1, of said bill, strike out "11440" and insert "11371".

**Amendment No. 4**

On page 1 of said bill, strike out all of line 3 and insert

"11371. In this chapter unless otherwise specifically indicated:

(a) "State agency" does not include an agency in the judicial or legislative departments of the State Government.

(b) "Regulation" means every rule, regulation, order, *statement of policy, guide to enforcement*, or standard of general application or the amendment, supplement or revision of any such rule, regulation, order, *statement of policy, guide to enforcement*, or standard adopted by any state agency to implement, interpret, *guide those charged with enforcement or administration of laws administered or enforced by it*, or make specific the law enforced or administered by it, or to govern its procedure, except one which relates only to the internal management of the state agency, *where such regulations of internal management do not affect directly the legal rights and privileges of any member of the public*.

(c) "Order of repeal" means any resolution, order or other official act of a state agency which expressly repeals a regulation in whole or in part."

**Amendment No. 5**

On page 1 of said bill, strike out all of lines 4 through 12.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 374**

Senator McBride moved that Senate Bill No. 374 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 374**—An act to add Sections 10214 and 10270.65 to the Insurance Code, relating to group insurance.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 12 of the printed bill, strike out "or members", and insert "generally or their dependents or insured members generally or their dependents".

**Amendment No. 2**

In line 15 of said bill, after "group", insert "life and disability".

**Amendment No. 3**

In lines 27 and 28 of said bill, strike out "or members", and insert "generally or their dependents or insured members generally or their dependents".

**Amendment No. 4**

In line 30 of said bill, after "group", insert "life and disability".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1479**

Senator Donnelly moved that Senate Bill No. 1479 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1479**—An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill following "the" insert "Joint".

**Amendment No. 2**

In line 4 of the title of said bill, strike out "Bureau, the Legislative Research Coun-"; strike out lines 5, 6, and 7, and insert "Committee, and prescribing its powers and duties."

**Amendment No. 3**

On page 1, line 6, of said bill, following "The", strike out "Legislative Research Bureau" and insert "Joint Legislative Research Committee".

**Amendment No. 4**

On page 1 of said bill, strike out line 8 and insert

"10250. The Joint Legislative Research Committee is hereby created. The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning matters referred to it for study by either house or by both houses of the Legislature, and it shall assist any member or any other committee in necessary and desirable research or fact-finding as to which its assistance is requested. The committee has a continuing existence and may meet, act and conduct its business at any place within this State during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

10251. The committee shall consist of all the elected members of the Assembly and the Senate, but a vacancy shall be deemed to exist as to any member of the committee whose term is expiring whenever such member is not re-elected at the general election.

10252. The committee is authorized to make rules governing its own proceedings. Except as otherwise provided in this chapter, the provision of Rule 36 of the Joint Rules of the Senate and Assembly relating to investigating committees shall apply to the committee and it shall have such powers, duties and responsibilities as the Joint Rules of the Senate and Assembly shall from time to time prescribe, and all the powers conferred upon committees by Section 37, Article IV, of the Constitution. The funds for the support of the committee shall be provided from the Contingent Funds of the Senate and Assembly in the same manner that such funds are made available to other joint committees of the Legislature.

10253. At such times as the committee is not in session its powers may be exercised by an executive committee which shall consist of seven members of the Senate and seven members of the Assembly. The Senate members shall consist of the members of the Senate Committee on Rules and two additional members of the Senate appointed by the Senate Committee on Rules. The Assembly members shall consist of the members of the Assembly Committee on Rules. The executive committee shall have power to create subcommittees from the membership of the committee and to assign to such subcommittees any study, inquiry, investigation, or hearing which the committee itself has authority to undertake or hold.

**Article 2. Legislative Research Director and Staff**

10260. The executive committee of the Joint Legislative Research Committee shall have authority to appoint a Legislative Research Director and such other clerical and technical employees as may appear necessary, pursuant to the provisions of Subsection (4) of Subdivision (a) of Section 4, Article XXIV, of the Constitution. The Legislative Research Director shall be chosen without reference to party affiliations and solely on the ground of fitness to perform the duties of his office.

10261. The permanent office of the Legislative Research Director shall be in the State Capitol in Sacramento, where he shall be provided with suitable and sufficient offices convenient to the Chambers of the Senate and Assembly.

10262. All books, papers, records and correspondence of the committee pertaining to its work shall be kept at the permanent office of the committee, and the papers and

correspondence of any person receiving service from the Joint Legislative Research Committee or its staff shall be kept private and confidential.

Such papers and correspondence shall become public records whenever the Joint Legislative Research Committee or the Legislature shall order or on the written authorization of the requester.

10263. Neither the Legislative Research Director nor any other employee of the committee shall reveal to any person outside thereof the contents or nature of any matters which has not become a public record, except with the consent of the person bringing the matter before the committee.

10264. The material, including books and other publications of, the State Library shall be made available to the committee. The University of California, all state agencies and other official state organizations, and all persons connected therewith shall give the Legislative Research Director ready access to their records and full information and reasonable assistance in any matters of research requiring recourse to them or to data within their knowledge or control.

10265. Neither the Legislative Research Director nor any employee of the committee shall oppose or urge legislation."

#### Amendment No. 5

On page 1 of said bill, strike out lines 9 through 21, inclusive, and strike out pages 2 to 4, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### LETTER OF TRANSMITTAL

SENATE CHAMBER, SACRAMENTO, March 4, 1953

*Hon. Goodwin J. Knight, President of the Senate*

*Senate Chamber, State Capitol, Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 181, read and adopted June 23, 1951, at the Regular Session of the Legislature, the Senate Interim Committee on Social Welfare submits a final report with findings and recommendations on the administration of the independent and agency adoption programs by the State Department of Social Welfare.

The committee engaged the J. L. Jacobs Company, Administrative and Finance Consultants, to conduct this survey. The recommendations contained in this report will improve the administration of the independent and agency adoption programs and expand the services of public adoption agencies to all areas in the State.

We wish to express our appreciation for the cooperation and assistance extended by the officials and staff of the Department of Social Welfare, Legislative Counsel, Legislative Auditor and to administrators of public and private adoption agencies.

Respectfully submitted,

FRED WEYBRET, Chairman  
CLYDE A. WATSON, Vice Chairman  
F. PRESLEY ABSHIRE  
R. R. CUNNINGHAM  
ED. C. JOHNSON

#### MOTION TO PRINT REPORT

Senator Weybret moved that the letter of transmittal be printed in the Journal and the final report of the Senate Interim Committee on Social Welfare be printed in the appendix to the Journal, and 2,500 additional copies of the report be printed for distribution.

#### MOTION TO OBSERVE THE INAUGURATION ANNIVERSARY OF FRANKLIN DELANO ROOSEVELT

Senator Donnelly moved that this being the twentieth anniversary of the first inauguration of Franklin Delano Roosevelt as President of the United States, that the Senate adjourn out of respect to his memory.

Motion carried.



**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 546**—An act to amend Section 7604 of the Public Utilities Code, relating to the sounding of a locomotive bell or whistle.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 1 and 2 and strike out "Damages" in line 3, and insert

"SECTION 1. Section 7604 of the Public Utilities Code is amended to read: 7604."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 433**—An act to amend Section 587 of the Vehicle Code, relating to parking in front of a fire hydrant.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "hydrant", insert "of distinctive color".

**Amendment No. 2**

On page 1, line 6, after "protection", strike out "in general".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Transportation.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Joint Resolution No. 3**—Relative to using money collected by federal gasoline, diesel fuel, and lubricating oil taxes upon federal-aid primary highway systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 17, of the printed measure, strike out "primary".

**Amendment No. 2**

On page 1 of said bill, strike out lines 18 to 20, inclusive, and insert "States; and be it".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 658**—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 29**—An act to amend Section 274 of the Agricultural Code, relating to the importation of bees, used hives or appliances, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, and Weybret—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 31**—An act to amend Section 281.6 of the Agricultural Code, relating to wax-salvage operations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 32**—An act to amend Section 275.5 of the Agricultural Code, relating to transportation of bees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Harold T. Johnson, Mayo, McCarthy, Miller, Montgomery, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 293**—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—36.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 482**—An act to amend Section 793 of the Agricultural Code, relating to standards for berries.

Bill read third time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "raspberries" insert "and".

**Amendment No. 2**

On page 1 of said bill, strike out line 4, and insert "berries, including the hybrid derivatives thereof".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 30**—An act to amend Section 284 of the Agricultural Code, relating to the spread of bee diseases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 231**—An act to amend Section 2046 of the Penal Code, relating to the state correctional system.

Bill read third time.

**Motion to Re-refer Senate Bill No. 231**

Senator Hulse moved that Senate Bill No. 231 be re-referred to Committee on Finance.

Motion carried.

**Motion to Re-refer Senate Bill No. 238**

Senator Hulse moved that Senate Bill No. 238 be re-referred to Committee on Finance.

Motion carried.

**Motion to Refer Bill to Inactive File**

Senator Byrne moved that Senate Bill No. 232 be placed on the inactive file.

Motion carried.

**Senate Bill No. 244**—An act to amend Section 5061 of the Penal Code, relating to the payment of burial expenses and charges related thereto of persons confined in any state institution subject to the jurisdiction of the Director of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1226**—An act to add Section 3300.6 to the Health and Safety Code, relating to the payment of burial expenses of tuberculosis patients in institutions subject to the jurisdiction of the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 764**—An act to amend Section 1101 of, and to add 1103.35 to, the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Mayo, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—32.

NOES—Senator Miller—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 480**—An act to amend Section 961 of the Agricultural Code, relating to seed potato certification.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.40 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 1650**—An act to amend Sections 5, 12, 27, and 72 of, and to add Sections 27.5 and 27.6 to, the Drainage District Act of 1903, relating to the organization and government of drainage districts,



validating districts organized pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Way, and Weybret—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 276**—An act to add Section 11007.6 to the Government Code, relating to the powers of the Department of Finance with respect to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Thompson, Way, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Dilworth Presiding**

At 4:47 p.m., Senator Nelson S. Dilworth of the Thirty-seventh District, presiding.

**Senate Bill No. 373**—An act to amend Sections 10270.9, 10270.93, and 10270.95 of, and to add Section 10270.94 to, the Insurance Code, relating to disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried.

The Secretary announced the absentees.

Time, 3:49 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 819**—An act to amend Section 12974 of the Insurance Code, relating to moneys in the Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Mayo, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 375**—An act to add Sections 1764, 1764.2, 1764.3, 1764.4, 1764.5 and 1764.7 to the Insurance Code, relating to surplus line brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 594**—An act to amend Section 2073 of, and to add Section 2074.6 to, the Insurance Code, relating to the standard form fire insurance policy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1332**—An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 28**—An act to amend Sections 117j, 117k, and 117l of the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 123**—An act to amend Section 58.8 of the Code of Civil Procedure and Section 68845 of the Government Code, relating to the office of the Clerk of the Supreme Court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Way, and Weybret—34.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 832**—An act to amend Sections 2084, 2085, and 2086 of, and to add Sections 2084.1, 2084.2, and 2090 to, the Code of Civil Procedure, relating to the production and perpetuation of testimony.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Thompson, Way, and Weybret—27.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1926**—An act to amend Section 27820 of the Government Code, relating to constables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, and Weybret—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 789**—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1162**—An act to authorize a suit or suits against the State of California to quiet title against it to certain real property situated in the County of Napa, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 8**—Relative to granting the Territory of Hawaii statehood in the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 17**—Relative to motor vehicle fuel taxes collected by the Federal Government.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.20 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 558

Senator McCarthy moved that Senate Bill No. 558 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Bill read second time.



**Motion to Amend**

Senator McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "On and after the first day of -----,"

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**LETTER OF TRANSMITTAL**

SENATE CHAMBER, SACRAMENTO, February 26, 1953

*Hon. Goodwin J. Knight, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 79, read and adopted June 23, 1951, at the 1951 Regular Session of the Legislature, the Senate Interim Committee on Military and Veterans Affairs submits the following report.

The Committee has not held a great number of meetings. The Chairman has made an effort to keep in fairly close touch with The Adjutant General's Office; he has attended field maneuvers of the California National Guard at Hunter Liggett Military Reservation and the California Air National Guard at Boise, Idaho. Through frequent conferences with the staff, he has kept in close contact with the problems of the California National Guard and The Adjutant General's Office.

Two letters, one from Colonel Carl H. Aulick, Assistant Chief of Staff, and one from Major General Earle M. Jones, The Adjutant General, State of California, are incorporated as a part of this Committee's Report.

Respectfully submitted,

VERNE W. HOFFMAN, Chairman  
JAMES E. CUNNINGHAM  
NELSON S. DILWORTH  
GERALD J. O'GARA  
LOUIS G. SUTTON

**MOTION TO PRINT REPORT**

Senator Hoffman moved that the letter of transmittal be printed in the Journal and the report of the Interim Committee on Military and Veterans Affairs be printed in the Appendix to the Journal and that 1,500 additional copies be printed for distribution.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 8  
Assembly Joint Resolution No. 16  
Assembly Concurrent Resolution No. 35

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read:

**Assembly Concurrent Resolution No. 35**—Relative to the death of Clifford E. Peterson.

Resolution ordered placed on file.

**Assembly Joint Resolution No. 8**—Relative to the transfer and conveyance to Joint Highway District No. 26 of the State of California of real property belonging to East Bay Regional Park District.

Referred to Committee on Transportation.

**Assembly Joint Resolution No. 16**—Relative to designating a strategic and critical materials stockpile in the City of Sacramento.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 663

Assembly Bill No. 665

Assembly Bill No. 666

Assembly Bill No. 709

Assembly Bill No. 2342

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 663**—An act to amend Section 132.1 of the Vehicle Code, relating to undertaking upon registration.

Referred to Committee on Transportation.

**Assembly Bill No. 665**—An act to amend Section 146.1 of the Vehicle Code, relating to full faith and credit granted certificates of title issued by other states.

Referred to Committee on Transportation.

**Assembly Bill No. 666**—An act to amend Section 158 of the Vehicle Code, relating to display of license plates.

Referred to Committee on Transportation.

**Assembly Bill No. 709**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Referred to Committee on Education.

**Assembly Bill No. 2342**—An act to add Sections 371, 372, and 373 to the Education Code, relating to the sale of publications produced by the county superintendent of schools.

Referred to Committee on Education.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 354

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 2; not voting 1.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported resolution re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1457

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 39	Senate Bill No. 353
Senate Bill No. 79	Senate Bill No. 355
Senate Bill No. 100	Senate Bill No. 356
Senate Bill No. 348	Senate Bill No. 357
Senate Bill No. 349	Senate Bill No. 708
Senate Bill No. 350	Senate Bill No. 844
Senate Bill No. 351	Senate Bill No. 147
Senate Bill No. 352	Senate Bill No. 145

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 4, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1461  
Senate Bill No. 1564  
Senate Bill No. 1624

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

## ADJOURNMENT

At 4.31 p.m., on motion of Senator Grunsky, the President declared the Senate adjourned until 2 p.m., Thursday, March 5, 1953, out of respect to the memory of Franklin Delano Roosevelt.

JOHN F. LEA, Minute Clerk

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## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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NINETEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, March 5, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Murdy, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Eleanor Fish of Sacramento.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Howard H. Palmer of San Bernardino.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ralph H. Logan of Visalia.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles Wendt of Baker, Ore., and Mr. Dan Webster of Martinez, Calif.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Georgina Carden of Marysville and Mrs. C. Dick Martin of Yuba City.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. G. J. Ferrari of San Francisco, and Mrs. Doreen Flower and Mrs. A. W. Way of Fortuna.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas, teacher, and the following students of the eighth grade at the Arden Elementary School: Jon Betow, Allen Chamberlin, Joe Codorniz, Victor Dahman, Jerry Effenbeck, Scott Gerhardt, Paul Griffin, Ronnie Herbold, Ronald Houser, Joe Lendl, Dick Leshner, Bobby Lynch, Mark McMahon, Howard Meister, Mark Murray, Ralph Pisi, Gary Rogers, Martin Van Rotz, Bill Washburn, Keith Wester, Mike White, Keith Wilkinson, Jim Williams, Craig Wilson, Joan Arbin, Judith Bolyan, Gloria Eister, Ardelle Jones, Ruby King, Julie Lewis, Priscilla Marron, Joan McDowell, Earlene McGuffee, Shirley Montgomery, Margo Moss, Ann Nelson, Leora Schab, Pat Sims, Leah Snyder, Ranae Strain, Arlene Tallacksen, and Carole Tucker.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 482

Senate Bill No. 546

And reports the same correctly engrossed.

POWERS, Chairman

### Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 55

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

### Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 1146

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Water Resources.

Committee membership 11; committee vote: Ayes 10; absent 1.

MAYO, Chairman

Above reported bill re-referred to Committee on Water Resources.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 263

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

MAYO, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 262

Senate Bill No. 746

Senate Bill No. 498

Senate Bill No. 797

Senate Bill No. 503

Senate Bill No. 541

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

MAYO, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 125

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 3; absent 1. (One member not voting).

MAYO, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 798

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

MAYO, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 265

Senate Bill No. 501

Senate Bill No. 499

Senate Bill No. 800

Senate Bill No. 500

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

MAYO, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 502

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

MAYO, Chairman

Above reported bill order to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 105	Senate Bill No. 280
Senate Bill No. 111	Senate Bill No. 282
Senate Bill No. 124	Senate Bill No. 285
Senate Bill No. 131	Senate Bill No. 287
Senate Bill No. 167	Senate Bill No. 290
Senate Bill No. 191	Senate Bill No. 435
Senate Bill No. 277	Senate Bill No. 596
Senate Bill No. 279	Senate Bill No. 597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 635	Senate Bill No. 821
Senate Bill No. 636	Senate Bill No. 1350
Senate Bill No. 703	Senate Bill No. 1635

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 104	Senate Bill No. 1014
Senate Bill No. 187	Senate Bill No. 1018
Senate Bill No. 288	Senate Bill No. 1632
Senate Bill No. 933	Senate Bill No. 1757

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes, 10; absent, 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency to which were referred:

Senate Bill No. 189
Senate Bill No. 281
Senate Bill No. 474

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes, 10; absent, 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 106
Senate Bill No. 278

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes, 10; absent, 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.



**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 214

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes, 6; absent, 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Bill No. 330

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 157**

Senator Harold T. Johnson moved that Senate Bill No. 157 be withdrawn from Committee on Natural Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 157**—An act to amend the heading of Chapter 3 of Division 4 of, to amend Sections 4451, 4453, 4454, 4455, and 4459 of, and to add Section 4454.5 to, the Public Resources Code, relating to forest insect and plant disease control.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 14, of the printed bill, strike out "on privately owned lands".

**Amendment No. 2**

On page 2, line 21, of said bill, strike out "the land", and insert "state and private lands".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1619**

Senator Abshire moved that Senate Bill No. 1619 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1619**—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, after line 15, of the printed bill, insert "This section shall not apply to any labor dispute or work stoppage between or involving farm laborers and their employers. As used in this section "farm laborer" includes any person performing services for compensation on a farm as herein defined. Farm includes among others stock, dairy, poultry, fruit and truck farms, plantations, ranches, ranges, apiaries, orchards, vineyards, nurseries, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**RESOLUTIONS**

The following resolution was offered:

By Senators Dorsey, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams:

**Senate Resolution No. 71**

Relative to the birthday anniversary of Honorable Arthur W. Way,  
State Senator, Third Senatorial District

WHEREAS, On the fifth day of March in a year long to be remembered by his multitude of friends, there was brought forth on this continent a native of the great State of California, who was no doubt inspired by the Giant Redwoods of his birthplace to reach upward, and grow big, and well, and strong becoming an ardent yachtsman and sportsman, a world-wide traveler, and a community leader. While attending the Eureka, California schools he held for many years the mile and half-mile State Championship Track records; and he is still running strong, having served as Judge of the Juvenile Court of Humboldt County, Mayor of Eureka, a member of the California Assembly, and now State Senator; and

WHEREAS, The world will little note nor long remember what we say in this resolution, but we, his colleagues, will never forget his friendly association with us nor his untiring efforts on behalf of his constituents; therefore, be it

*Resolved*, By the Senate of the State of California that Senator Arthur W. Way is congratulated and we extend to him the warm good wishes and felicitations of his fellow members in this Senate; and be it further

*Resolved*, That the Secretary of the Senate be and is hereby directed to have prepared and presented to our good Senator a suitably engrossed copy of this resolution.

Resolution read, and unanimously adopted on a motion of Senator Dorsey.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 26, 1953, appointing

LEO CARRILLO, to the State Park Commission, vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 24, 1953 appointing

DR. ROBERT DAVIS GRAY, to the State Personnel Board, vice self, for the term prescribed by law, ending January 15, 1963;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 24, 1953, appointing

JOSEPH A. RAWLS, to the Board of Trustees, Porterville State Home, for the four-year term prescribed by law;

CLIFF C. DRISKELL, to the Board of Trustees, Porterville State Home, for the four-year term prescribed by law;

WILLIAM MCCARTHY THORNTON, to the Board of Trustees, Porterville State Home, for the four-year term prescribed by law;

MRS. LILLIAN E. MATHIAS, to the Board of Trustees, Porterville State Home, for the four-year term prescribed by law;

MRS. ELEANOR M. JONES, to the Board of Trustees, Porterville State Home, for the four-year term prescribed by law;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 24, 1953, appointing

JAMES H. BURKE, to the State Fire Advisory Board, vice William A. Meinheit, resigned, for the term prescribed by law, ending at the pleasure of the Governor.

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 25, 1953, appointing

WHITFIELD GRIFFITHS, to the Board of Trustees, Napa State Hospital, vice Edwin R. Hennessey, deceased, for the term prescribed by law, ending four years from the date of the commission;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 25, 1953, appointing

ALFRED P. CHAMIE, to the California Veterans Board, vice self, term expired, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated February 24, 1953, appointing

MILTON E. RAMELLI, to the Board of Trustees, Camarillo State Hospital, vice W. D. Bannister, term expired, for the term prescribed by law, ending four years from the date of the commission;

MIKE VUJOVICH, to the Board of Trustees, Camarillo State Hospital, vice self, term expired, for the term prescribed by law, ending four years from the date of the commission;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated February 24, 1953, appointing

GUILFORD H. WHITNEY, to the State Park Commission, vice George A. Scott, resigned, for the term prescribed by law, ending January 15, 1956;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

## Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of

Leo Carrillo to the State Park Commission

Dr. Robert Davis Gray to the State Personnel Board

Joseph A. Rawls to the Board of Trustees, Porterville State Home

Cliff C. Driskell to the Board of Trustees, Porterville State Home

William McCarthy Thornton to the Board of Trustees, Porterville State Home

Mrs. Lillian E. Mathias to the Board of Trustees, Porterville State Home

Mrs. Eleanor M. Jones to the Board of Trustees, Porterville State Home

James H. Burke to the State Fire Advisory Board

Whitfield Griffiths to the Board of Trustees, Napa State Hospital

Alfred P. Chamie to the California Veterans Board

Milton E. Ramelli to the Board of Trustees, Camarillo State Hospital

Mike Vujovich to the Board of Trustees, Camarillo State Hospital

Guilford H. Whitney to the State Park Commission

The President put the question, "Will the Senate confirm and consent to the appointment of Leo Carrillo, Dr. Robert Davis Gray, Joseph A. Rawls, Cliff C. Driskell, William McCarthy Thornton, Mrs. Lillian E. Mathias, Mrs. Eleanor M. Jones, James H. Burke, Whitfield Griffiths, Alfred P. Chamie, Milton E. Ramelli, Mike Vujovich, Guilford H. Whitney?"



The roll was called with the following result :

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—35.

**NOES**—None.

#### **Appointments Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Leo Carrillo, Dr. Robert Davis Gray, Joseph A. Rawls, Cliff C. Driskell, William McCarthy Thornton, Mrs. Lillian E. Mathias, Mrs. Eleanor M. Jones, James H. Burke, Whitfield Griffiths, Alfred P. Chamie, Milton E. Ramelli, Mike Vujovich and Guilford H. Whitney to the positions indicated above.

### **CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS**

**Senate Concurrent Resolution No. 34**—Relative to delivery of electric power from Central Valley Project facilities.

Resolution read.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources :

##### **Amendment No. 1**

On page 1, line 2, of the printed measure, strike out "recognized", and insert "stated".

##### **Amendment No. 2**

On page 1, lines 4 and 5, of said bill, strike out "and full recognition of the provisions of state and federal law require", and insert "requires".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 127**—An act providing for the compilation, publication, and distribution of a State Blue Book.

Bill read second time.

#### **Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency :

##### **Amendment No. 1**

In the title of the printed bill, after "State Blue Book", insert "and to amend Section 13607 of the Government Code".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### **Amendment No. 2**

On page 1 of said bill, after line 7, add

"Sec. 2. Section 13607 of the Government Code is amended to read :

13607. The volumes shall be distributed as follows : to the Secretary and each Member of the Senate and to the Chief Clerk and each Member of the Assembly, 10 copies ; to the Governor, 25 copies ; to the Lieutenant Governor, 15 copies ; to the Secretary of State, the Controller, the Attorney General, and the Treasurer, each 10 copies ; to the director of each state department, 2 copies ; to the two United States Senators from California and the members of the California congressional delegation, each 1 copy ; to

the Chief Justice and Associate Justices, each 1 copy; to the Presiding Justices and Justices of the District Court of Appeals, each 1 copy; [to the State Library, 50 copies;] *and copies as provided in Section 13661 of this code.*

All other volumes shall be sold for such price as may be fixed by the department."

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 136**—An act to amend Sections 11421, 11422, and 11440 of the Government Code, relating to administrative regulations.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "a finding of fact", and insert "findings of facts constituting the emergency".

##### Amendment No. 2

On page 2, line 5, of said bill, strike out "finding of fact", and insert "findings of facts constituting the emergency".

##### Amendment No. 3

On page 2, lines 22 and 23, of said bill, strike out "findings of fact", and insert "findings of facts constituting the emergency".

Amendment read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 201**—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 2 of the printed bill, strike out lines 18 to 32 inclusive, and insert "(c) Moneys in the amount determined by the State Public Works Board as the share of the cost of the proposed work to be borne by a political subdivision of this State have first been made available from public sources other than the State Treasury, or funds of any agency".

##### Amendment No. 2

On page 2, line 38, of said bill, strike out "for matching purposes for", and insert "as a source of its share of the cost of".

##### Amendment No. 3

On page 2 of said bill, after line 39, insert "In determining such share, the Public Works Board shall establish the full amount which such political subdivision is financially able to meet from its own funds including any reserves which can be

made available by its governing body to the end that amounts expended from this appropriation shall be only such amounts as are required because of the inability of the political subdivision to pay the full cost of the work from its own funds."

#### Amendment No. 4

On page 2, lines 42 and 43, of said bill, strike out "entity herein authorized to match the appropriation herein made", and insert "political subdivision bearing a share of the cost".

#### Amendment No. 5

On page 3, line 4, of said bill, strike out "In some", and strike out all of lines 5 to 15 inclusive, and insert "The present provisions of the law as to the requirements for investigations and sharing of cost by political subdivisions will expire on June 30, 1953. Inasmuch as the appropriation must be implemented by the provisions of this act in order that work can be begun immediately after June 30, 1953, it is necessary in the interests of public health and safety that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 1194**—An act to repeal Section 5154 of the Public Resources Code, and to add Section 25905 to the Government Code, relating to agricultural fairs.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, and insert "and Article 3 of Chapter 3 of Division 1, comprising Sections 96 and 97, of the Agricultural Code, and to add Sections 25905 to 25908, inclusive, to the Government Code, relating to county fairs."

##### Amendment No. 2

On page 1, line 1, of said bill, strike out "is", and insert "and Article 3 of Chapter 3 of Division 1, comprising Sections 96 and 97, of the Agricultural Code, are hereby".

##### Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert "Sec. 2. Section 25905 to 25908, inclusive, are added to the Government Code, to read:".

##### Amendment No. 4

On page 1, lines 22 and 23, of said bill, strike out ", for the purpose of Section 92 of the Agricultural Code,".

##### Amendment No. 5

On page 1, line 25, of said bill, strike out "funds", and insert "sources".

##### Amendment No. 6

On page 1 of said bill, following line 31, insert

"When such use, possession, and management is granted, the board may also allocate to such nonprofit corporation such sum of money it deems necessary to be used for advertising or promotional work in advance of holding such fair and for any other purpose incidental to the plans and preparation of the fair.

25096. The board of supervisors of a county may contract with a nonprofit corporation or association for the conducting of an agricultural fair in such county for such period and under such conditions as the board may determine. Such contracts may provide for the use, possession, and management of any public park or fairgrounds by such nonprofit corporation during the period of the contract. When such use, possession, and management is granted, the board may also allocate to such nonprofit corporation such sum of money it deems necessary to be used for advertising or promotional work in advance of holding such fair and for any other purpose incidental to the plans and preparation of the fair. If such county desires to receive an allocation under the provisions of Section 92 of the Agricultural Code, the corporation shall submit an annual budget to the State Department of Finance, showing the estimated revenues and the proposed expenditures from all sources during the ensuing calendar year, which budget shall first be approved by the board of supervisors, and shall be

considered as complying with the provisions of Section 92 of the Agricultural Code relating to budgets. The corporation shall also observe any other provisions of law relating to county fairs as a condition necessary for the county to receive an allocation of state money for fair purposes.

25907. The board of supervisors of any county owning any public park, shall have authority: (a) to lease, let or grant licenses for the use of its real estate or personal property or any portion thereof for any agricultural, horticultural, viticultural or livestock fairs or expositions, rodeos, floral displays, dog and cat shows, exhibition of industries and industrial products or federal or state armories; to school organizations or associations thereof for the purpose of conducting athletic events participated in by such schools or associations or to civic, patriotic, benevolent, or fraternal corporations or associations, for the purpose of holding conventions, assemblies or public meetings on subjects of public or community interest; or for the sale of tangible personal property, or for concessions and services incidental to any of such purposes; or to nonprofit athletic organizations for athletic activities or to nonprofit fair associations or to nonprofit agricultural associations or to municipal corporations for use or reletting for any or all of the foregoing purposes; (b) to rent or permit the use of its premises for the holding of sales or auctions of cattle or other livestock or for other purposes beneficial to the agricultural industry.

25908. The board of supervisors of any county owning fairgrounds and fairground facilities may (a) lease, let, or grant licenses for the use of its real estate or personal property or any portion thereof to private individuals or associations for whatever purpose may be approved by said board, which will not interfere with the use of such property for fair purposes; and (b) arrange for and conduct or cause or by contract permit to be conducted by any other individual, institution, corporation or association, upon such property at such time as it may deem advisable, any activity which will not interfere with the use of such property for fair purposes."

#### Amendment No. 7

On page 1, line 26, of said bill, after "shall", insert "first".

Amendment read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 1224**—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

#### Amendment No. 1

On page 2, line 15, of the printed bill, after the period, insert "A copy of each deed of conveyance executed and delivered by the Director of Finance shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 1634**—An act to repeal Section 144 of the Education Code, relating to deputy superintendents of public instruction.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 143, and".



**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

Following the enacting clause of said bill, insert

"SECTION 1. Section 143 of the Education Code is amended to read:

143. The Superintendent of Public Instruction may appoint *and, with the approval of the Director of Finance, fix the salary of* one Deputy Superintendent of Public Instruction [ , one Secretary, and one Assistant Superintendent of Public Instruction in charge of research and statistics, all of whom shall be civil executive officers]."

#### Amendment No. 3

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Governmental Efficiency.

**Senate Bill No. 344**—An act to amend Section 397 of the Penal Code, relating to the selling or furnishing of intoxicating liquors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 529**—An act to amend Section 5091 of the Penal Code, relating to the state correctional system.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 522**—An act to add Section 6503.2 to the Welfare and Institutions Code, relating to the granting of a right of way over state lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "relating to the granting of rights of way over state lands, and in connection therewith".

##### Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "Code."

##### Amendment No. 3

On page 1, after line 11, of said bill, insert

"SEC. 2. The Director of Finance shall grant to the County of San Bernardino the necessary easements and rights of way for all purposes of a public road across, and upon the following described property:

Beginning at the southwest corner of lot 8, block 51 of Rancho San Bernardino as as recorded in Map Book 7, page 2 of San Bernardino County Record of Maps and running thence 50 feet northerly along the west line of said lot 8; thence easterly and parallel to the south line of lots 8 and 9 of said block 51 to the east line of lot 9; thence 50 feet southerly along the east line of lot 9 to the southeast corner of lot 9; thence easterly along the north line of lot 3 to the northeast corner of the west 10 acres of lot 3; thence 50 feet southerly along the east line of the west 10 acres of lot 3; thence westerly and parallel to the north line of lots 3, 4, and 5 to the east line of a tract of land conveyed to Tom B. and Josephine F. Spears by deed recorded in Book 1674, page 339 of San Bernardino County Record of Deeds; thence 50 feet northerly to the north line of lot 5 and the northeast corner of the tract of land, said point being 1,285.12 feet easterly from the northwest corner of lot 6; thence westerly along the north line of lot 5 to the point of beginning.

The herein described parcel of land contains 3.713 acres of land more or less subject to all reservations of record."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 249**—An act to amend Sections 19153 and 19154 of the Education Code, relating to educational facilities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 817**—An act to add Chapter 22 to Division 3 of the Education Code, relating to the retirement of bonds for school district public works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 876**—An act to amend Section 9641 of the Education Code, relating to education of physically handicapped minors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 888**—An act to amend Sections 24503 and 24504 of the Education Code, all relating to first aid equipment for schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1022**—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 286**—An act to repeal Section 5009 of, and to add Section 5009 to, the Education Code, relating to school district audits.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

On page 1, strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 5010 to the Education Code, relating to audits of school funds."

##### Amendment No. 2

On page 1 of said bill, strike out all of lines 1 to 24, inclusive, and insert "SECTION 1. Section 5010 is added to the Education Code, to read:

5010. At the end of each fiscal year each county superintendent of schools shall provide for an audit of the county school service fund and of the books and accounts of all school districts under his jurisdiction with an average daily attendance of less than 900 during the next preceding fiscal year, and the governing board of each district with an average daily attendance of 900 or more for the next preceding fiscal year shall either provide for an audit of the books and accounts of the district or may make arrangements with the county superintendent of schools having jurisdiction over the district to provide for such auditing.

Each audit shall include all funds of the district including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district.

The cost of the audits provided for by the county superintendent of schools shall be paid for from school service fund and the county superintendent of schools shall transfer the pro rata share of the cost chargeable to each district from district funds.

The cost of the audit provided for by a governing board shall be paid from district funds. The audit of the county school service fund shall be paid from the county school service fund.

The audits shall be made by a certified public accountant or a public accountant, licensed by the State Board of Accountancy. Not later than December 31st, a report of each audit for the preceding fiscal year shall be filed with the Department of Education and the Department of Finance. The Superintendent of Public Instruction shall make any adjustments necessary in future apportionments of state funds, to correct any discrepancies revealed by such audit reports under the provisions of Section 7190 of this code.

If a governing board or county superintendent of schools fails or is unable to make arrangements for audit pursuant to this section, the Department of Finance may make

arrangements for the audit and the cost of such audit shall be paid from school district funds or the county school service fund as the case may be.

The Department of Finance with the cooperation of the Department of Education shall prescribe the statements and other information to be included in the audit reports filed with the State. The Department of Finance may make such surveys and reports, and may develop suggested procedures for carrying out the purposes of this section, as in the judgment of the department will serve the best interests of the State.

Nothing in this section shall be considered as authorizing examination into or report on the curriculum used or provided for in any school district."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 314**—An act to amend Section 13001.2 of the Education Code, authorizing the employment of persons requiring certification qualifications and the payment of compensation to such person.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert "declaring the urgency thereof, to take effect immediately".

##### Amendment No. 2

On page 1, after line 17, of said bill, insert

"Sec. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There are many teachers who through no fault of their own were unable to register their credentials within the 30-day limit prescribed by law and are suffering by reason of having been deprived of their salary for periods of varying length, during which they rendered service to the school district and were at all times fully qualified to serve.

In order to restore the confidence of such teachers in the Public School System, and to encourage such teachers to remain in the teaching profession, rather than seeking employment in other fields subject to fewer strict regulations, at a time when an increase rather than a decrease in the number of teachers is essential to furnish an adequate education to the children of the State, it is necessary that this act go into immediate effect."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 706**—An act to amend Sections 5473, 5473.4, and 5473.6, and to repeal Sections 5473.7, 5473.9, and 5473.10, of the Health and Safety Code, relating to assessments for sanitation and sewerage systems.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 747**—An act to amend Section 14025 of, and to add Section 14030 to, the Health and Safety Code, relating to fire protection districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 761**—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation :

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 525.1 of", and insert "add Section 525.3 to".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert "SECTION 1. Section 525.3 is added to the Vehicle Code, to read : 525.3. Certain Vehicles to be Driven in Right Hand Lane."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 762**—An act to amend Section 531 of the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation :

**Amendment No. 1**

In line 1 of the title of the printed bill, after "531 of", insert ", and to add Section 531.1 to,".

**Amendment No. 2**

On page 1, line 3, of said bill, strike out "(a)".

**Amendment No. 3**

On page 1 of said bill, strike out lines 8 to 18, inclusive, and insert

"SEC. 2. Section 531.1 is added to said code, to read :

531.1. Motor Trucks and Other Vehicles Following Too Closely. The driver of any motor truck, or the driver of any motor vehicle which is drawing or towing another vehicle upon a roadway outside of a business or residence district, shall keep the vehicle he is driving at a distance of not less than 500 feet to the rear of any motor truck, or any motor vehicle drawing or towing another vehicle, which truck or vehicle is preceding it being driven in the same direction. The provisions of this section shall not prevent overtaking and passing nor shall the same apply upon any lane especially designated for use by motor trucks, nor upon a highway with two or more lanes for traffic in each direction, when the vehicles subject to this section are operated in the right hand lane for traffic. This section shall not apply to motor vehicles drawing highway construction or maintenance equipment while being used in highway construction or maintenance work."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 354**—An act to amend Section 60613 of, and to add Section 60613.1 to, the Government Code, relating to bonds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1457**—An act to amend Section 2 of Chapter 1451 of the Statutes of 1951, relating to the compensation of the judges, officers, and attaches of the municipal court.

Bill read second time.



**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

In line 6 of the printed bill, after "receive", insert "fifteen thousand", and in line 8 after "(\$", insert "15,000".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 39**—An act to amend Section 408 of the Education Code, relating to the compensation of the county superintendent of schools of a county of the eighth class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 79**—An act to amend Section 28147 of the Government Code, relating to compensation for public service in counties of the forty-seventh class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 100**—An act to amend Sections 29193 and 29194 of the Government Code, relating to district budgets.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 348**—An act to add Section 60736 to the Government Code, relating to funds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 349**—An act to add Section 60670 to the Government Code, relating to bonds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 350**—An act to amend Section 60683 of the Government Code, relating to bonds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 351**—An act to amend Section 60673 of the Government Code, relating to bonds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 352**—An act to add Section 60671.2 to the Government Code, relating to bonds of community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 353**—An act to amend Section 60621 of the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 355**—An act to add Section 60108 to, and to amend Sections 60227, 60656, and 60757 of, the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 356**—An act to amend Sections 60102, 60103, 60200, and 60201 of the Government Code, relating to community services districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 357**—An act to amend Section 60672 of the Government Code, relating to bonds of community service districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 708**—An act to add Section 9.5 to the Municipal and Justice Court Act of 1949 and Section 71180.5 to the Government Code, relating to notice of the appointment, election, death, removal or resignation of judges of municipal and justice courts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 844**—An act to add Section 26543 to the Government Code, relating to the district attorneys and county counsels.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 147**—An act to amend Section 20607.5 of, and to add Section 60607.6 to, the Government Code, relating to retirement of firemen.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 145**—An act to amend Section 14401 of the Health and Safety Code, relating to county fire protection districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1461**—An act declaring a portion of the land conveyed to the City of Coronado by Chapter 49 of the Statutes of 1923, as amended, unavailable for navigation, commerce, and fisheries, and excluding such portion from use for navigation, commerce, and fisheries, and granting such portion of said tidelands to the City of Coronado, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1564**—An act to repeal Section 31553.5 of, and to add Section 31553.5 to, the Government Code, relating to the retirement of county employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1624**—An act to amend Section 1.25 of Chapter 390 of the Statutes of 1909, relating to the use and transfer of certain lands granted to the City of Oakland.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 1, of the printed bill, strike out the second "1", and insert "1.25".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 482**—An act to amend Section 793 of the Agricultural Code, relating to standards for berries.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 538**—An act to amend Section 34153 of the Water Code, relating to California water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

## Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—31.

NOES—None.

The roll was called and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

## Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 677**—An act to add Section 386.5 to the Code of Civil Procedure, relating to the dismissal of a mere stakeholder on affidavit and deposit.

Bill read third time.

The roll was called and the bill passed by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, McCarthy, Montgomery, Parkman, Tenney, Thompson, Ward, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 678**—An act to amend Section 1013 of, and to add Section 1013.5 to the Civil Code, relating to the removal of improvement from real property.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 679**—An act to amend Section 1600 of the Probate Code, relating to requests for special notice of the disposition of property held by a guardian.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, Mayo, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 680**—An act to amend Section 296.42 of the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death or the order of the death.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Mayo, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 684**—An act to amend Sections 1180 and 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of instruments.

Bill read third time.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Busch moved a call of the Senate.

Motion carried. Time, 3.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 685**—An act to amend Section 1263 of the Civil Code, relating to contents of declaration of homestead.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—28.

**NOES**—Senator Sutton—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 546**—An act to amend Section 7604 of the Public Utilities Code, relating to the sounding of a locomotive bell or whistle.

Bill read third time.



The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly

### THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 3**—Relative to using money collected by federal gasoline, diesel fuel, and lubricating oil taxes upon federal-aid primary highway systems.

Resolution read, and presented by Senator Collier.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, Montgomery, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.27 p.m., on motion of Senator Busch, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 684 passed by the following vote :

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Way, and Weybret—24.

NOES—Senators Breed, Collier, Desmond, Dilworth, Dorsey, Hatfield, Hulse, Mayo, Sutton, and Williams—10.

### Motion to Reconsider

Senators Busch and Hatfield moved to reconsider the vote whereby Senate Bill No. 684 was passed.

The roll was called, and Senate Bill No. 684 reconsidered by the following vote :

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Senate Bill No. 684 ordered returned to its place on third reading file.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 35**—Relative to the death of Clifford E. Peterson.

Resolution read, and presented by Senator Thompson.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Resolution ordered transmitted to the Assembly.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1656

Senator Hatfield moved that Senate Bill No. 1656 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1656**—An act to add Section 35855 to the Water Code and to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Bill read second time.

##### Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 35855 to the Water Code and".

##### Amendment No. 2

On page 1, of said bill, strike out lines 1 to 10, inclusive.

##### Amendment No. 3

On page 1, line 11, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

##### Amendment No. 4

On page 1 of said bill, strike out lines 14 and 15, and insert "or constructing irrigation, distribution, and drainage works, acquiring the necessary".

##### Amendment No. 5

On page 1, line 23, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

##### Amendment No. 6

On page 2, line 3, of said bill, after "districts", insert "newly".

##### Amendment No. 7

On page 2, of said bill, strike out lines 5 to 17, inclusive, and insert "for a supply of vitally needed water, and must obtain funds immediately to meet the payments under such contracts if they are to secure a supply of water for this coming irrigation season. It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 900

Senator Desmond moved that Senate Bill No. 900 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 900**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54348, 54349, 54384, 54420, 54421, 54422, 54423, 54424, 54426, 54427, 54431, 54432, 54434, 54467, 54478, 54513, 54514, 54515, 54516, 54519, 54522, 54524, and 54552 of, adding Sections 54301.1, 54346.3, 54516.1, and 54615 to, and repealing Section 54343 of, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the authorization, issue and sale of revenue bonds by local agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

Strike out lines 19 to 21, inclusive, of the title of the printed bill as amended in Senate February 26, 1953, and insert "new bonds by local agencies."

**Amendment No. 2**

On page 2 of said bill, as amended, strike out lines 16 and 17.

**Amendment No. 3**

On page 2, line 18, of said bill, as amended, strike out "(e)", and insert "(d)".

**Amendment No. 4**

On page 2 of said bill, as amended, strike out lines 21 to 30, inclusive.

**Amendment No. 5**

On page 2 of said bill, as amended, strike out lines 39 to 43, inclusive, and insert "facilities and equipment, and all buildings, struc-".

**Amendment No. 6**

On page 3, lines 13 and 14, of said bill, as amended, strike out "or personal".

**Amendment No. 7**

On page 9, strike out lines 15 to 29, inclusive.

**Amendment No. 8**

On page 3, line 18, of said bill, as amended, following "real", strike out "or personal".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**LETTER OF TRANSMITTAL**

SENATE CHAMBER, SACRAMENTO, January 5, 1953

*Honorable Goodwin J. Knight, President  
and Members of the Senate*

GENTLEMEN: Pursuant to Senate Resolution No. 201 of the 1951 Regular Session, your Interim Committee on State Printing transmits herewith its final report on the problems of state printing in California.

Respectfully submitted,

LUTHER E. GIBSON, Chairman  
FRED WEYBRET  
JESSE M. MAYO

**MOTION TO PRINT REPORT**

Senator Gibson moved that the letter of transmittal be printed in the Journal, and the final report by the Interim Committee on State Printing be printed in the Appendix to the Journal, and that 500 additional copies be printed for distribution.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Joint Resolution No. 23:** By Senators Tenney, Sutton, Byrne, Hoffman, Kraft, Donnelly, Busch, Parkman, Dilworth, Hulse, Burns, Erhart, Powers, McBride, Collier, Harold T. Johnson, Montgomery, Ward, Brown, Desmond, and Dorsey—Relative to memorializing the Congress of the United States to modify the classification of items subject to tax as luxuries.

Referred to Committee on Revenue and Taxation.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senators Powers, Burns, Brown, Ward, and Hatfield to serve as members of the State Capitol Committee, under the terms of S.B. 25 (Chap. 288, Stats. 1949).

POWERS, Chairman

**REPORTS OF STANDING COMMITTEES****Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 733

Senate Bill No. 1349

Senate Bill No. 734

Senate Bill No. 1363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 135

Senate Bill No. 1351

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1404  
Senate Bill No. 1405  
Senate Bill No. 1406

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 696

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 185

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 203

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 20**—Relative to the use of moneys received from the national forests;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifth day of March, 1953, at 3.30 p.m.

POWERS, Chairman

**ADJOURNMENT**

At 3.40 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 10.30 a.m., Friday, March 6, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, March 6, 1953

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Berry, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Brown, due to legislative business.

Senator Murdy, on motion of Senator Brown, due to legislative business.

Senator Mayo, on motion of Senator Brown, due to illness.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold F. Eckart of Petaluma.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. Thomas E. Tilden of Sacramento, Dr. and Mrs. W. Stuart Neblett of Riverside, Dr. Kenneth I. Nesbitt of San Francisco, Mrs. Geraldine Hoffman of San Francisco, Dr. and Mrs. Robert Lush of San Diego, Dr. and Mrs. B. M. Tylicki of Long Beach, Dr. Vernon Hunt of Eureka, Mr. H. E. Lindersmith of Los Angeles and Mr. Frank Cronnin of San Francisco, all members and attaches of the State Board of Dental Examiners.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Bandino of Arroyo Grande, Calif.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following eighth grade students of North Hillsborough School and eighth grade students of the South Hillsborough School: North Hillsborough School—Janet Adams, Michael Bloch, John Brawner, Geraldine Braze, Lee Emily Fletcher, William Fritts, Joan Fuller, Porfirio Gastelum, Richard Gerdes, Judith Greenberg, Barbara Grossman, Lucile Herbert, John Herlihy, William Layton, Gloria Jacopi, Murray Levitan, Mary Lucas, Alan Markis, Judith Marsechalk, Dian Midkiff, Carol Munch, Madeline Nagel, Toni Perelli-Minetti, Jane Rosenblum, Jerry Rudd, Katherine Sommer, Lynne Steventon, Sandra Thomas, Terry Tognazzini, and William Tuck; South Hillsborough School—William Amtmann, Sandra Ashby, Charles Ashman, Lance Bosschart, Colden Boyle, Harrie Christin, Skip Clumeck, Terry Cullinan, Charles de Guigne, Adele Deimel, Robert Friedman, Peter Giacobbi, Joe Gritsch, Roger Heathcote, Fritz Hyde, John Kirkpatrick, Susan Levin, Brad Liebman, Willinda McClung, Carol Jean McCubbin, Joanne McDonald, Neal McNeil, Scott Morrison, Richard Moulton, Nancy O'Boyle, Carolan Poett, Joan Preston, Kirk Prindle, Carol Quigley, Stephen Rieden, Jack Seawell, Karen Shapro, William Walker, and Lance Week.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Gibson asked for, and was granted, unanimous consent to have the following statement regarding Senate Constitutional Amendment No. 21 printed in the Journal:

March 5, 1953

**Statement of Senator Luther E. Gibson With Respect to  
Senate Constitutional Amendment No. 21**

Upon further reflection I have come to the conclusion that I cannot support the passage of Senate Constitutional Amendment No. 21. Therefore, although I am one of the authors, I intend to vote against this measure.

This proposed amendment originally appeared to me as a mere restatement and further delineation of the rights already possessed by the citizens of this State and of the United States under the respective constitutions. However, upon further study I have come to the conclusion that this proposed amendment contains additional implications which would have the effect of overruling the decisions of our courts interpreting our existing rights as free citizens. Since I believe that all of our rights are fully protected by the existing constitutions as they now stand, the passage of this amendment would have an effect not contemplated by me as one of its authors. I must, therefore,



state my convictions in opposition to the amendment and in favor of our existing constitutional guarantees, which at the same time prohibit discrimination against any person by virtue of his race, color, or creed.

I have further concluded that the matter contained in this amendment, if it is to be considered at all, should be considered by the United States Congress within the framework of the Federal Constitution and not by the Legislature of California. The United States Constitution, under which this country has progressed and prospered, makes careful provision for the protection of the rights of all citizens, and certainly the rights to acquire, enjoy, own, and dispose of property are among the civil rights protected by the Fourteenth Amendment to the Constitution of the United States. To attempt state action in these fields might well cause unforeseen inequities and dislocations which could adversely affect the entire economy and well being of the State of California.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 215	Assembly Bill No. 1499
Assembly Bill No. 317	Assembly Bill No. 1838
Assembly Bill No. 520	Assembly Bill No. 1839
Assembly Bill No. 521	Assembly Bill No. 1865
Assembly Bill No. 522	Assembly Bill No. 1870
Assembly Bill No. 664	Assembly Bill No. 1871
Assembly Bill No. 819	Assembly Bill No. 1880
Assembly Bill No. 1279	Assembly Bill No. 1888
Assembly Bill No. 1280	Assembly Bill No. 1889
Assembly Bill No. 1328	Assembly Bill No. 1894
Assembly Bill No. 1329	Assembly Bill No. 1898
Assembly Bill No. 1330	Assembly Bill No. 1903
Assembly Bill No. 1331	Assembly Bill No. 1908
Assembly Bill No. 1332	Assembly Bill No. 1909
Assembly Bill No. 1333	Assembly Bill No. 1910
Assembly Bill No. 1334	Assembly Bill No. 1911
Assembly Bill No. 1336	Assembly Bill No. 1912
Assembly Bill No. 1337	Assembly Bill No. 1913
Assembly Bill No. 1338	Assembly Bill No. 1914
Assembly Bill No. 1339	Assembly Bill No. 1915

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 215**—An act to amend Section 29431 of the Government Code, relating to sheriff's special fund.

Referred to Committee on Local Government.

**Assembly Bill No. 317**—An act to amend Section 360.5 of the Code of Civil Procedure, relating to acknowledgments, promises and waivers of statutes of limitations.

Referred to Committee on Judiciary.

**Assembly Bill No. 520**—An act to amend Section 1677 of the Insurance Code, relating to certificates of convenience to act as insurance agent or solicitor.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 521**—An act to amend Section 1731 of the Insurance Code, relating to insurance licenses.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 522**—An act to amend Section 1803 of the Insurance Code, relating to bail solicitors' licenses.

Referred to Committee on Judiciary.

**Assembly Bill No. 664**—An act to amend Section 140 of the Vehicle Code, relating to violation of registration requirements.

Referred to Committee on Transportation.

**Assembly Bill No. 819**—An act to amend Section 1461 of the Probate Code, relating to guardians for insane or incompetent persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 1279**—An act to amend Section 437c of the Code of Civil Procedure, relating to summary judgments.

Referred to Committee on Judiciary.

**Assembly Bill No. 1280**—An act to amend Section 6101 of the Business and Professions Code, relating to disbarment or suspension of attorneys.

Referred to Committee on Judiciary.

**Assembly Bill No. 1328**—An act to amend Section 802 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1329**—An act to amend Sections 1708, 1711, and 1713 of, and to add Section 1713.7 to, the Insurance Code, all relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1330**—An act to repeal Section 1708.5 of the Insurance Code, relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1331**—An act to add Section 1734 to the Insurance Code, relating to insurance licenses.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1332**—An act to amend Section 1802.6 of the Insurance Code, relating to bail licenses.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1333**—An act to repeal Chapter 4, Part 1, Division 2, Chapter 7, Part 2, Division 2, Chapter 8, Part 2, Division 2 and Chapter 5, Part 3, Division 2 of the Insurance Code, relating to insurers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1334**—An act to amend Section 11069 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1336**—An act to amend Section 10209 of the Insurance Code, relating to group life insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1337**—An act to amend Section 32 of the Insurance Code, relating to life insurance agents.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1338**—An act to amend Sections 1645, 1648.3, 1648.6 and 1659 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1339**—An act to amend Section 1720 of the Insurance Code, relating to life insurance analysts.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1499**—An act to repeal Chapters 285, 286, and 327 of the Statutes of 1913, and Chapter 4 of Part 2 of Division 1 of the Public Utilities Code, relating to oil pipe lines.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1838**—An act to amend Sections 1516, 1535, 1550, 1554, 1554.1, and 1558 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Referred to Committee on Judiciary.

**Assembly Bill No. 1839**—An act to amend Section 5406.5 of the Welfare and Institutions Code, relating to jury trials of inebriates committed to a state hospital.

Referred to Committee on Judiciary.

**Assembly Bill No. 1865**—An act to codify the Meat Sellers Fair Competition Act by adding Section 363 to the Agricultural Code and repealing Chapter 382 of the Statutes of 1935, relating to the sale of meat.

Referred to Committee on Judiciary.

**Assembly Bill No. 1870**—An act to codify Chapter 1679 of the Statutes of 1951, relating to the regulation of shorthand reporting, by adding Section 30047 and Chapter 13, Division 3, to the Business and Professions Code, and repealing Chapter 1679 of the Statutes of 1951.

Referred to Committee on Judiciary.

**Assembly Bill No. 1871**—An act to codify Chapter 371 of the Statutes of 1909, Chapter 19 of the Statutes of 1893, Chapter 34 of the Statutes of 1941, and Chapter 369 of the Statutes of 1921, relating to the regulation of private business, business transactions and licensed professions by adding Sections 7401, 16104, and 30046 to, and Chapter 4 to Part 2, Division 4, and Chapter 2.5 to Part 2, Division 7 of, the Business and Professions Code, and repealing acts and parts of acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1880**—An act to codify certain acts, relating to aviation and the organization, powers, and duties of agencies regulating and furnishing facilities for aviation, by adding Division 9 to the Public Utilities Code; and by repealing certain acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1888**—An act to codify Chapter 363 of the Statutes of 1913, relating to the asexualization of idiots and fools, by adding Section 6625 to the Welfare and Institutions Code, and repealing Chapter 363 of the Statutes of 1913.

Referred to Committee on Judiciary.

**Assembly Bill No. 1889**—An act to codify Chapter 35 of the Statutes of the First Extraordinary Session of 1950, relating to research concerning sexual deviations and sex crimes, by adding Chapter 5, comprising Sections 5650 to 5653, inclusive, to Part 1, Division 6, of the Welfare and Institutions Code, and to repeal Chapter 35 of the First Extraordinary Session of 1950, except Section 6 thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 1894**—An act to codify a statute relating to enforcement in this State of the Fair Labor Standards Act of 1938, by adding Section 50.6 to the Labor Code and by repealing Chapter 44 of the Statutes of 1939.

Referred to Committee on Judiciary.

**Assembly Bill No. 1898**—An act to codify certain acts, relating to military affairs and veterans' affairs, aid and welfare, by adding Section 1509.5 to the Military and Veterans Code; Chapters 2 and 3 to Division 7 of said code, and Division 8 to said code; and by repealing certain acts and sections specified herein.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1903**—An act to codify Chapter 290, Statutes of 1909, relating to warehouse receipts, by adding Article 3B, comprising Sections 1858.01 to 1858.85, inclusive, to Chapter 2, Title 3, Part 4, Division 3 of the Civil Code, and by repealing Chapter 290 of the Statutes of 1909.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1908**—An act to add Title 8 to the Government Code, to consolidate and revise the law relating to a system of courts of the State and judges, officials, attaches and employees thereof, to repeal acts and parts of acts specified therein, and to amend Sections 61.4, 269, and 274e of the Code of Civil Procedure, to repeal Section 36 of the Code of Civil Procedure, and to add Section 3020.5 to the Government Code.

Referred to Committee on Judiciary.

**Assembly Bill No. 1909**—An act to codify certain acts, relating to crimes and the punishment thereof, by amending Section 182 of, by adding Chapter 12 to Title 13 of Part 1 of, by adding Article 4 to Chapter 3 of Title 1 of Part 4 of, by adding Article 5 to Chapter 3 of Title 1 of Part



4 of, and by adding Sections 217.1, 266h, 266i, 310, 337h, 487b, 487c, 487d, 597k, 643, 643a, 643b, 646, 649, 649a, and 650a to, the Penal Code, and by repealing certain statutes specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1910**—An act to codify Chapter 644 of the Statutes of 1865-1866, relating to competency of witnesses in criminal proceedings, by adding Section 1323.5 to the Penal Code, and repealing Chapter 644 of the Statutes of 1865-1866.

Referred to Committee on Judiciary.

**Assembly Bill No. 1911**—An act to codify certain acts, relating to the disposition of evidence subsequent to criminal cases, by adding Chapter 13 to Title 10 of Part 2 of the Penal Code, and repealing certain acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1912**—An act to codify Chapter 164 of the Statutes of 1917, relating to institution-made goods, by adding Article 2 to Chapter 1 of Title 14 of Part 2 of the Penal Code, and repealing Chapter 164 of the Statutes of 1917.

Referred to Committee on Judiciary.

**Assembly Bill No. 1913**—An act to codify certain statutes, relating to the parole of prisoners, by amending Section 3001 of, by adding Article 3.5 to Chapter 8 of Title 1 of Part 3 of, and by adding Article 3 to Chapter 2 of Title 1 of Part 4 of, the Penal Code, and repealing certain statutes specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1914**—An act to codify Chapter 843 of the Statutes of 1921 and Chapter 299 of the Statutes of 1935, relating to penal industrial farms and road camps, by adding Chapter 2 to Part 3 of Title 4 of the Penal Code, and repealing certain statutes specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1915**—An act to codify Chapter 723 of the Statutes of 1917, relating to criminal identification and investigation, by adding Part 4, comprising Chapter 1 of Title 1 of said part, to the Penal Code, and repealing certain statutes specified herein.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1916  
Assembly Bill No. 1917  
Assembly Bill No. 1918  
Assembly Bill No. 1919  
Assembly Bill No. 1920  
Assembly Bill No. 1921  
Assembly Bill No. 1922  
Assembly Bill No. 1935

Assembly Bill No. 1937  
Assembly Bill No. 1938  
Assembly Bill No. 1939  
Assembly Bill No. 1940  
Assembly Bill No. 1942  
Assembly Bill No. 1948  
Assembly Bill No. 1982  
Assembly Bill No. 1983

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 37

Assembly Joint Resolution No. 21

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 1916**—An act to codify Chapter 1563 of the Statutes of 1951, relating to notification of release from custody of persons convicted of arson, by adding Article 1 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 1563 of the Statutes of 1951.

Referred to Committee on Judiciary.

**Assembly Bill No. 1917**—An act to codify Chapter 417 of the Statutes of 1929, relating to reports of injuries by hospitals, by adding Article 2 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 417 of the Statutes of 1929.

Referred to Committee on Judiciary.

**Assembly Bill No. 1918**—An act to codify certain statutes, relating to the use of property for unlawful purposes and the abatement thereof, by adding Chapter 3 to Title 1 of Part 4 of the Penal Code, and repealing certain statutes specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1919**—An act to codify certain statutes, relating to the control of deadly weapons by adding Title 2 to Part 4 of the Penal Code, and by repealing certain statutes specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1920**—An act to codify Chapter 377 of the Statutes of 1923 by repealing said chapter and adding Section 330.26 to the Civil Code, relating to water stock certificates.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1921**—An act to codify certain acts, relating to rights in property and duties with respect thereto, by adding Sections 841.4, 2811, 3090.5, and 3342 to the Civil Code; Chapter 2.5, comprising Sections 730 to 730.15, inclusive, to Title 2 of Part 1 of Division 2 of said code; Article 36, comprising Sections 1858.90 to 1858.93, inclusive, to Chapter 2 of Title 3 of Part 4 of Division 3 of said code; and by repealing certain acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1922**—An act to codify certain acts, relating to civil actions and procedures, by adding Sections 410.1, 663.1, 663.2, 730, 731b, 1238.5, 1266.2, and 1855b to the Code of Civil Procedure; Chapter 3.5, comprising Sections 751.01 to 751.28, inclusive, Chapter 7, comprising Sections 830 to 836, inclusive, Chapter 8, comprising Sections 850 to 856, inclusive, to Title 10 of Part 2 of said code; Chapter 5, comprising

Sections 1208.61 to 1208.70, inclusive, to Title 4 of Part 3 of said code; Title 10b, comprising Sections 1700 to 1706, inclusive, to Part 3 of said code; Article 2.1, comprising Sections 1928.1 to 1928.4, inclusive, and Article 4, comprising Sections 1953 to 1953.06, inclusive, to Chapter 3 of Title 2 of Part 4 of said code; and by repealing certain acts specified herein.

Referred to Committee on Judiciary.

**Assembly Bill No. 1935**—An act to establish an unemployment insurance code, thereby consolidating and revising the law relating to unemployment and disability compensation, and to repeal acts and parts of acts specified therein.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1937**—An act to add Article 1 to Chapter 5 of Part 2, Division 1, of the Unemployment Insurance Code, relating to the Disability Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1938**—An act to add Article 4 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Department of Employment Contingent Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1939**—An act to add Article 3 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Administration Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1940**—An act to add Article 2 to Chapter 6, of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Unemployment Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1942**—An act to add Section 1535 to the Unemployment Insurance Code, relating to the Unemployment Fund.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1948**—An act to codify certain acts, relating to the organization, powers, duties, and regulation of public utilities and publicly owned utilities, by adding Chapter 3 to Part 2, Division 1 of the Public Utilities Code; by adding Division 7 to said code; and by repealing certain acts specified herein.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1982**—An act to amend Sections 502, 502.1, 512, 513, 515 and 550 of the Military and Veterans Code, relating to the military forces of the State.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1983**—An act to amend Sections 340 and 562 of the Military and Veterans Code, relating to the National Guard.

Referred to Committee on Military and Veterans Affairs.

**Assembly Concurrent Resolution No. 37**—Relative to the eightieth birthday of Col. Ed. Fletcher.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 21**—Relative to extension of time for application for educational television channels.

Referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 5, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 39	Senate Bill No. 356
Senate Bill No. 79	Senate Bill No. 357
Senate Bill No. 100	Senate Bill No. 529
Senate Bill No. 145	Senate Bill No. 706
Senate Bill No. 147	Senate Bill No. 708
Senate Bill No. 249	Senate Bill No. 747
Senate Bill No. 344	Senate Bill No. 817
Senate Bill No. 348	Senate Bill No. 844
Senate Bill No. 349	Senate Bill No. 876
Senate Bill No. 350	Senate Bill No. 888
Senate Bill No. 351	Senate Bill No. 1022
Senate Bill No. 352	Senate Bill No. 1461
Senate Bill No. 353	Senate Bill No. 1564
Senate Bill No. 354	Senate Concurrent Resolution No. 37
Senate Bill No. 355	Senate Joint Resolution No. 12

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 286	Senate Bill No. 762
Senate Bill No. 314	Senate Bill No. 1457
Senate Bill No. 522	Senate Bill No. 1624
Senate Bill No. 761	Senate Concurrent Resolution No. 34

And reports the same correctly engrossed.

POWERS, Chairman

#### Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Bill No. 254

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Bill No. 1132

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

BREED, Chairman

Above reported bill ordered to second reading.



**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 484

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 700

Senate Bill No. 701

Senate Bill No. 1295

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 8; noes 3; absent 2.

WEYBRET, Chairman

Above reported resolution ordered to third reading.

**Committee on Institutions**

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Institutions, to which was referred:

Senate Bill No. 1218

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

COOMBS, Chairman

Above reported bill ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: Your Committee on Institutions, to which was referred:  
Senate Bill No. 307

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

COOMBS, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: The Committee on Institutions, to which were referred:

Senate Bill No. 194

Senate Bill No. 1777

Senate Bill No. 1776

Senate Bill No. 1778

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

COOMBS, Chairman

Above reported bills ordered to second reading.

### LETTER OF TRANSMITTAL

SENATE CHAMBER, SACRAMENTO, March 6, 1953

*Hon. Goodwin J. Knight, President of the Senate*

*Senate Chamber, State Capital  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 189 adopted June 23, 1951, the Senate Interim Committee on Workmen's Compensation Benefits herewith submits its first report. Additional reports on problems arising under the workmen's compensation law and the administration thereof and the committee recommendations in respect thereto will be presented shortly.

Respectfully submitted,

CLARENCE C. WARD, Chairman  
HAROLD T. JOHNSON  
H. R. JUDAH  
FRED H. KRAFT  
HARRY L. PARKMAN

### MOTION TO PRINT REPORT

Senator Ward moved that the letter of transmittal be printed in the Journal, and the first report of the Senate Interim Committee on Workmen's Compensation Benefits be printed in the Appendix to the Journal, and that 2,500 copies be printed for distribution.

Motion carried.

### LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE

SENATE INTERIM COMMITTEE ON GOVERNMENTAL ORGANIZATION

March 6, 1953

*Hon. Goodwin J. Knight, President  
and Members of the Senate*

GENTLEMEN: The Senate Interim Committee on Governmental Organization transmits herewith its report and recommendations pursuant to the provisions of Senate Resolution 151 of the 1951 General Session.

The studies and analysis of the administrative organization of State Government conducted by this committee are a continuation of the studies initiated by the Senate Committee on Governmental Reorganization pursuant to the provisions of Senate Resolution 142 adopted July 2, 1949. That committee transmitted two reports. This report, therefore, may be considered to be the third report submitted by the Senate Interim Committee on Governmental Organization.

Respectfully submitted,

HUGH P. DONNELLY, Chairman  
LUTHER E. GIBSON  
HARRY L. PARKMAN  
JACK B. TENNEY  
CLYDE A. WATSON

**MOTION TO PRINT REPORT**

Senator Donnelly moved that the letter of transmittal be printed in the Journal, and the third report submitted by the Senate Interim Committee on Governmental Organization be printed in the Appendix to the Journal, and that 5,000 additional copies be printed.

Motion carried.

**MOTION TO RE-REFER SENATE BILL NO. 596**

Senator Brown moved that Senate Bill No. 596 be re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 196**

Senator Breed moved that Senate Bill No. 196 be withdrawn from Committee on Business and Professions for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 196**—An act to amend Sections 9751, 9756, and 9758 of, and to add Sections 9608.6, 9660.1 to 9660.7, both inclusive, and 9757.5 to, the Business and Professions Code, and to add Section 8250.5 to the Health and Safety Code, relating to cemeteries.

Bill read second time.

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend Sections 9609, 9650, 9651, 9655, 9656, 9715, 9751, 9756, 9758, 9766, and 9767 of, and to add Sections 9608.6, 9650.1, 9650.3, and 9757.5".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 9609 of the Business and Professions Code is amended to read: 9609. This act does not apply to any of the following:

(a) A religious corporation, church, religious society or denomination, a corporation sole administering temporalities of any church or religious society or denomination, or any cemetery organized, controlled, and operated by any of them.

(b) A public cemetery.

(c) Any private or fraternal burial park not exceeding ten acres in area, established prior to September 19, 1939; however, such cemeteries shall be subject to the cemetery brokerage provisions of this act.

SEC. 2. Section 9650 of said code is amended to read:

9650. Each cemetery authority in charge of cemetery endowment care funds shall file with the board annually, on or before [March 1st] April 1st, or within 3 months after close of their fiscal year provided approval has been granted by the board as provided for in Section 9650.1, a written report in form prescribed by the board setting forth:

(a) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care by specific periods as set forth in the form prescribed. [:

(1) Prior to September 19, 1939.

(2) From September 20, 1939, to January 1st of the year preceding the filing of this report.

(3) From January 1st through December 31st of the preceding year.]

(b) The amount collected and deposited in both the general and special endowment care funds segregated as to the amounts for crypts, niches and grave space by specific periods as set forth either on the accrual or cash basis at the option of the cemetery authority. [:

(1) Prior to September 19, 1939.

(2) From September 20, 1939, to January 1st of the year next preceding the filing of the report.

(3) From January 1st through December 31st of the preceding year segregated as to the amounts deposited for crypts, niches and grave space.]

(c) A statement showing separately the total amount of the general and special endowment care funds invested in each of the investments authorized by law and the amount of cash on hand not invested, which statement shall actually show the financial condition of the funds.

The report shall be verified by the president or vice president and one other officer of the cemetery corporation and shall be certified by the accountant or auditor preparing the same.

SEC. 3. Section 9651 of said code is amended to read:

9651. The board shall examine the reports filed with it as to their compliance with the requirements [of Section 8738] of the Health and Safety Code as to the amount of endowment care funds collected and [Section 8751 of that code] as to the manner of investment of such funds.

SEC. 4. Section 9655 of said code is amended to read:

9655. If any examination made by the board, or any report filed with it, shows that there has not been collected and deposited in the endowment care funds the minimum amounts required by [Section 8738 of] the Health and Safety Code since September 19, 1939, the board shall require such cemetery corporation to comply with Sections 8743 and 8744 of the Health and Safety Code.

SEC. 5. Section 9656 of said code is amended to read:

9656. Whenever the board finds, after notice and hearing, that any endowment care funds have been invested in violation [of Section 8751] of the Health and Safety Code it shall by written order mailed to the person or body in charge of the fund require the reinvestment of the funds in conformity to that section within the period specified by it which shall be not less than two years where the investment was made prior to the effective date of this act and not less than six months when made after such effective date. Such period may be extended by the board in its discretion.

SEC. 6. Section 9715 of said code is amended to read:

9715. Applications in writing for a certificate of authority shall be made by a cemetery authority [corporation] to the board accompanied by the fee provided for in this act. Such application must show that the cemetery authority [corporation] owns or is actively operating a cemetery in this State which is subject to the provisions of the Cemetery Act or that the applicant is in a position to commence operating a cemetery.

SEC. 7. Section 9751 of said code is amended to read:."

#### Amendment No. 3

On page 1, line 6, of said bill, strike out "2", and insert "8".

#### Amendment No. 4

On page 1, line 10, of said bill, strike out "3", and insert "9".

#### Amendment No. 5

On page 1, of said bill, between lines 14 and 15, insert

"SEC. 10. Section 9766 of said code is amended to read:

9766. Upon payment of the charges set forth the board shall issue a certificate of authority to the cemetery authority [corporation].

SEC. 11. Section 9767 of said code is amended to read:

9767. Failure to pay the [regulatory charge fixed by the board prior to April 1, 1950 and] charges set forth by Section 9765 of this code prior to February 1st for [any succeeding] each year [automatically suspends] shall be cause for suspension of the certificate of authority. Such certificate may be restored upon payment to the board of the prescribed charges."

#### Amendment No. 6

On page 1, line 15, of said bill, strike out "4", and insert "12".

#### Amendment No. 7

On page 1, of said bill, strike out lines 19 to 26, inclusive, and on page 2, strike out lines 1 to 41, inclusive, and insert

"SEC. 13. Section 9650.1 is added to said code, to read:

9650.1. Each cemetery authority requesting a change of filing date of the endowment care fund report from a calendar year to a fiscal year or a change in fiscal year shall file a petition with the board prior to the close of the year of request. The board



may approve such petition provided that no report shall be for a period of more than 12 months.

**SEC. 14.** Section 9650.3 is added to said code, to read:

9650.3. The reports to the board are not public documents, and shall not be open to inspection by the public."

**Amendment No. 8**

On page 2, line 42, of said bill, strike out "12", and insert "15".

**Amendment No. 9**

On page 2, line 46, of said bill, strike out "13", and insert "16".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 54**

Senator Williams moved that Senate Bill No. 54 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 54**—An act to amend Sections 10607, 10617, 10618, and 10619 of the Health and Safety Code, relating to delayed registration of vital statistics.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "10112".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "delayed".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 2 of said bill, after line 19, insert

"SEC. 5. Section 10112 of said code is amended to read:

10112. Each local registrar, except a health officer of a city and county and health officers of cities of over 1,000,000 population, acting as local registrar, shall transmit to the recorder of the county for a special county record at the same time the original certificates are forwarded to the Registrar of Vital Statistics a copy of each original birth certificate [or death certificate], which shall exclude the medical and health section data, and a copy of each original death certificate."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 103**

Senator Cunningham moved that Senate Bill No. 103 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 103**—An act to amend Sections 211, 213, 215, 726, 727, 816.5, 1061, 1062, 1063, 1065, 1066, 1067, 1068, 1073, 3501, 3511, 3512, 3513, 3514, 3515, 3517, 3541, 3571, 3572, and 3575 of the Public Utilities Code, to amend the heading of Chapter 1 of Division 2 and the heading of Article 1 of Chapter 1 of Division 2 thereof, to add Sections 796 and 1064.5 thereto, and to repeal Sections 214, 1072, 3516, 3518 and 3546, and Article 4 of Chapter 1 of Division 2, comprising Sections 3601 to 3606, inclusive, thereof, relating to highway carriers.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 4, line 37, of the printed bill, after "1063.", insert "(a)".

**Amendment No. 2**

On page 4, line 42, of said bill, strike out "operation", and insert "operations".

**Amendment No. 3**

On page 5 of said bill, between lines 5 and 6, insert

"(b) Any person or corporation possessing a radial highway common carrier or highway contract carrier permit on January 1, 1953, and continuously thereafter to the date of filing an application as herein provided may, on or before December 31, 1953, file an application for a highway common carrier certificate, setting forth the territories in which, and the points between which, operations have been conducted, the commodities which have been transported and other pertinent data describing the operations which have been conducted. The commission shall upon satisfactory showing, with or without a hearing, and without further showing of public convenience and necessity, issue to such applicant a certificate of public convenience and necessity authorizing operation as a highway common carrier in accordance with the showing made. Pending action by the commission upon such application, operations as described therein may be continued after December 31, 1953, subject to the provisions of the Highway Carriers' Act as amended.

Any person or corporation not included within the provisions of the foregoing paragraph who, or which, when this section takes effect, possesses a radial highway common carrier or highway contract carrier permit, may continue operations pursuant to such permit until December 31, 1953; and if application for a certificate to operate as a highway common carrier is made to the commission on or prior to such date, said carrier may continue operations as described therein, subsequent to December 31, 1953, subject to the provisions of the Highway Carriers' Act, as amended, unless and until otherwise ordered by the commission."

**Amendment No. 4**

On page 5 of said bill, strike out lines 44 to 52, inclusive, and on page 6, strike out lines 1 to 24, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Utilities.

**RESOLUTIONS**

The following resolution was offered:

By Senators Burns and Tenney:

**Senate Resolution No. 72**

Relative to the death of Josef Stalin

WHEREAS, Josef Djughashvili, alias Joseph Stalin, the Red Czar of all the Russias, is reported to be dead, and

WHEREAS, Dictator Stalin personified the communist tyranny and conspiracy that threatens to enslave the entire world, and

WHEREAS, Communism is a fixed, dogmatic philosophy of evil and tyranny not susceptible to modification through leadership, and

WHEREAS, The passing of Dictator Stalin offers no hope for freedom of the Russian people other than the opportunity of destroying communism during the struggle for power between Stalin's successors, and

WHEREAS, This man was the arch tyrant of modern times and compared to him all others, including Genghis Khan, Hitler and Mussolini, were pikers in the business of wars, murder and oppression; now, therefore, be it

*Resolved*, That the Senate of the State of California takes note of his departure by asking the people of this great State to give increased devotion to the cause of liberty, freedom and the American way of life and to dedicate our lives to preventing the spread of fascism, be it of the red, black, or brown variety.

Resolution read, and referred to the Committee on Rules.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 42:** By Senator Tenney—Relative to the passing of Raymond V. Darby.

##### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 42, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 42

**Senate Concurrent Resolution No. 42**—Relative to the passing of Raymond V. Darby.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

Resolution ordered transmitted to the Assembly.

#### MOTION TO ADJOURN OUT OF RESPECT TO RAYMOND V. DARBY

Senator Tenney moved that when the Senate adjourns this day, that it does so out of respect to the memory of the late Raymond V. Darby.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were offered:

**Senate Joint Resolution No. 24:** By Senators Dorsey and Tenney—Relative to the federal excise tax on ladies' handbags.

Referred to Committee on Revenue and Taxation.

**Senate Joint Resolution No. 25:** By Senator Erhart—Relative to repair of Morro Bay Breakwater.

Referred to Committee on Rules.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 55**—An act to add Section 1256 to the Water Code, relative to appropriation of water.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "shall", and insert "may, with appropriate provision for review by the department from time to time,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 263**—An act to add Section 692 to, and to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, 619.5, 620, 621, 621.5, 652, 653, 654, 655, 656, 657, 658, 691, 693, 694, 695, 698, 698.5, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 721, 722, 724.5, 727, 728, 804, 809, 810, 810.5, 1200, 1201, 1270, 1272, and 1341 of, the Fish and Game Code, relating to seasons and bag limits for fish and game and the sale of fish.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 498**—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 503**—An act to amend Section 1342 of the Fish and Game Code, relating to mammals.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 746**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of the United States.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 797**—An act to amend Section 1204 of the Fish and Game Code, relating to the issuance of licenses to feed migratory game birds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 541**—An act to amend Section 1159 of the Fish and Game Code, relating to birds.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 125**—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 1 $\frac{1}{2}$ , and declaring the urgency thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 798**—An act to add Section 34.5 to the Fish and Game Code, relating to predatory birds and mammals.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "commission", and insert "Department".

##### Amendment No. 2

On page 1, line 7, of said bill, strike out "commission", and insert "Department".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 265**—An act to amend Section 992 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Commercial fishing licenses are invalid", and insert "No person may take any fish under the authority of a commercial fishing license on any boat or barge while such boat or barge is carrying anglers for hire."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 499**—An act to amend Section 1106 of the Fish and Game Code, relating to commercial fishing.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "shall, on or before April 1st of each year", and insert "or who, for profit, permits persons to fish therefrom, shall, in addition to paying the fee prescribed in this section".

##### Amendment No. 2

On page 1, line 9, of said bill, after "(\$25)", insert "by the owner or operator of such vessel".

##### Amendment No. 3

On page 1, line 10, of said bill, strike out "to the owner or operator".

##### Amendment No. 4

On page 1, line 12, of said bill, after "following", insert ", or, if issued after the beginning of such term, for the remainder thereof".

##### Amendment No. 5

On page 1 of said bill, strike out lines 14, 15, and 16.

**Amendment No. 6**

On page 1, line 17, of said bill, strike out "with"; strike out line 18, and insert "April 1, 1954."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 500**—An act to amend Section 1012 of the Fish and Game Code, relating to licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after the first "fish", insert "except frozen or cold-pack crustaceans".

**Amendment No. 2**

On page 1, line 11, of said bill, after the word "of", insert "freezing, cold-packing,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 501**—An act to amend Section 432.5 of the Fish and Game Code, relating to licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 10.

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, line 11, of said bill, strike out "ment of [one dollar (\$1)] *twenty-five dollars (\$25)*", and insert "period April 1st to March 31st of the year following, or, if issued after the beginning of such term, for the remainder thereof, and shall be issued to the holder of a certificate of registration as provided in Section 1100. The fee for the permit specified herein is three dollars (\$3)".

**Amendment No. 3**

On page 1, line 26, of said bill, strike out "with"; strike out line 27, and insert "April 1, 1954, provided further that permits issued for the calendar year 1953 shall not expire until March 31, 1954."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to refuges and public shooting grounds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "a game refuge or".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Senate Bill No. 502**—An act to amend Sections 407, 1201.5, and 1280 of the Fish and Game Code, relating to licenses, deer tags and pheasant tags.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "commission", and insert "department".

**Amendment No. 2**

On page 1, line 5, of said bill, strike out "Division of Fish and Game", and insert "department".

**Amendment No. 3**

On page 1 of said bill, strike out lines 8 to 16, inclusive, and insert "in which event such person may collect, in addition to the legal fee for each license and license tag issued, an amount not to exceed five percent (5%) of such legal fee as compensation for the service rendered. Bonded license agents shall, within ten (10) days following the last day of each calendar month, remit to the department the full amount of all legal fees received for sales of licenses and license tags."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 105**—An act to amend Sections 75, 76, and 83 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), to amend Sections 302 and 303, and repeal Section 314 of the Unemployment Insurance Code, relating to administration of unemployment and disability compensation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 111**—An act to add Section 19439 to the Business and Professions Code, relating to the regulation of horse racing.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 124**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "Keeper of the Archives", and insert "State Archivist".

**Amendment No. 2**

On page 1, line 17, of said bill, after the word "concerned", insert ", and all remaining copies in excess of two (2) copies heretofore received shall be distributed to interested parties without charge or destroyed".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 131**—An act to amend and renumber Section 1062.5 of the Government Code, relating to out-of-state travel by state officers and employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 167**—An act to amend Section 6 of Chapter 771 of the Statutes of 1937 and to amend Section 75105 of the Government Code, relating to the investment of Judges' Retirement Fund money.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 191**—An act to amend Section 17050 of the Government Code, relating to revolving funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 277**—An act to amend Section 13943.5 of the Government Code, relating to the collection of taxes, licenses, fees or other money.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 279**—An act to transfer funds to the San Francisco Harbor Improvement Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 280**—An act to repeal Section 9 of the Construction and Employment Act, relating to money made available for the administration of said act, and to provide for the disposition of the unexpended portion of said money.

Bill read second time.

#### Motion to Amend

Senator Hulse moved the adoption of the following amendments:

#### Amendment No. 1

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert "Act (Chapter 20 of the Statutes of the First Extraordinary Session of 1945) and Section 2103.1 of the Streets and Highways Code, relating to money made available for the support of the Controller, Director of Finance, and Department of Finance."

#### Amendment No. 2

On page 1 of said bill, after line 5, insert

"Sec. 2. Section 2103.1 of the Streets and Highways Code is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 282**—An act to amend Chapter 145 of the Statutes of the 1946 (First Extraordinary) Session, relating to a program of construction, improvement and equipment for state agencies, by repealing Section 8 thereof which authorizes the expenditure of certain funds for administration of the act, and to provide for the disposition of the unexpended portion of such funds.

Bill read second time.



**Motion to Amend**

Senator Hulse moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "to", insert "and reverted to the unappropriated balance of".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 285**—An act to amend Section 11010 of the Government Code, relating to services by one state agency for another.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 287**—An act to amend Section 3 of Chapter 12 of the Statutes of 1951, relating to disposition of rentals from the Department of Motor Vehicles Building.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 290**—An act to repeal Sections 13163, 13165, 13166, and 13167 of, and to amend Section 13164 of, the Government Code, relating to the Service Revolving Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 435**—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from such sale or exchange.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 597**—An act to amend Section 16403 of the Government Code, relating to revolving funds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 635**—An act adding Sections 30.5 and 30.6 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations, and declaring the urgency thereof, to take effect immediately" declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 636**—An act adding Sections 24.5 and 24.6 to the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 703**—An act authorizing the Director of Finance to quitclaim the interest of the State of California in and to a pipeline and easement in Napa County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 821**—An act to amend Section 16475 of the Government Code, relating to interest earned on the Capital Surplus Money Investment Fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1350**—An act to amend Section 16304 of the Government Code, relating to the reversion of appropriations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1635**—An act to amend Section 14256 of the Government Code, relating to public works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 104**—An act to amend Sections 13140 and 13144 of the Government Code, relating to refunds.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 11, of the printed bill, after "funds", insert "in the State Treasury".

##### Amendment No. 2

On page 1, line 20, of said bill, strike out ", or (c) if", and insert a period.

##### Amendment No. 3

On page 1, of said bill, strike out lines 21 to 24, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 187**—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 70, 71, 73, 74, 76, and 77 of, and to add Section 78 to, the Agricultural Code, relating to agricultural fairs.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 2, line 1, of the printed bill, after "Fair", insert "and Exposition".

##### Amendment No. 2

On page 2, line 15, of said bill, after "California", insert "State".

##### Amendment No. 3

On page 2, line 23, of said bill, strike out "California".

##### Amendment No. 4

On page 2, line 24, of said bill, after the period, insert "Any money appropriated from the State Agricultural Society Contingent Fund shall be payable from the State Fair and Exposition Fund."

##### Amendment No. 5

On page 2, line 25, of said bill, strike out "contingent".

**Amendment No. 6**

On page 2, line 29, of said bill, after "State Fair", insert "and Exposition".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 288**—An act to amend Section 18859 of the Government Code, relating to compensation of civil service employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "transfers," insert "reallocations,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 933**—An act to amend Section 16301 of the Government Code, relating to disposition of moneys received by state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill, strike out all of lines 15 to 19, inclusive, and insert "provided that amounts received as partial or full reimbursement for services furnished shall be credited to the applicable appropriation."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1014**—An act to amend Section 420 of the Government Code, relating to the State Flag.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, of the printed bill, following line 13, insert:



Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1018**—An act to amend Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, strike out "standard recognized printing industry".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1632**—An act to amend Sections 2 and 3 of Chapter 1071 of the Statutes of 1947, the California State Communications Act, and Sections 15275 and 15279 of the Government Code, relating to the California State Communications Advisory Board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "(a)", insert "The Director of Public Works".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1757**—An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, before the period, insert "declaring the urgency thereof and providing that this act shall take effect immediately".

**Amendment No. 2**

On page 1, line 24, of said bill, after the period, insert "The Director of Public Works may approve plans, specifications and estimates of cost, and advertise for and receive bids on such projects in anticipation of the receipt of such evidence."

**Amendment No. 3**

On page 1 of said bill, after line 33, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Federal funds are available for allocation to the State to partially finance the construction of armories and the amendments made by this act are necessary to permit the State to avail itself of such money. With such funds certain armories which are necessary for national defense and the training of military forces may be constructed. In order to proceed with the construction at the earliest possible time it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 106**—An act making an appropriation for acquisition of real property for the Department of Employment, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Employment Contingent", and insert "Disability".

##### Amendment No. 2

On page 1 of said bill, between lines 7 and 8, insert "The property to be acquired under the provisions of this act shall be primarily for the occupancy of the Department of Employment and, until such time as the investment is repaid as herein provided, shall be subject to the administration and supervision of the Department of Employment in accordance with rules and regulations which shall be established by said department with the approval of the Department of Finance. Such rules and regulations shall be comparable to those for the administration and supervision of other state-owned buildings.

The director shall allocate space to the agencies and services comprising the department. Any buildings or facilities provided under this section may contain space in excess of the requirements of the Department of Employment and, until needed, may be leased or let by the director at such rental and upon such terms and conditions as may be approved by the Department of Finance.

For all space allocated by the director to the agencies and services comprising the department, or otherwise leased or let by the director under this section, the director shall charge a rental, to be approved by the Department of Finance. All such rentals shall be paid into the Disability Fund as repayment of any money invested under the provisions of this section together with interest to be compounded annually at the close of business on December 31st of each year, at a reasonable rate to be determined by the director with the approval of the Department of Finance.

When the money invested under the provisions of this section for the providing and equipment of buildings or facilities has been repaid to the Disability Fund together with interest as provided herein, the jurisdiction and control of any such buildings or facilities, and the operation and management thereof, shall vest, and shall thereafter be vested, in the Department of Finance; provided, however, the Department of Employment shall have priority to occupy any space within said buildings or facilities at rental rates not exceeding the cost of providing maintenance and other services."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 278**—An act to amend Section 4 of Chapter 7 of the Statutes of 1951, relating to revenues of tide and submerged lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 2 of the title of the printed bill, after "lands", insert ", declaring the urgency thereof, to take effect immediately".

##### Amendment No. 2

On page 1, line 19, of said bill, after "Lands", insert "Act".

##### Amendment No. 3

On page 1 of said bill, following line 22, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The Federal Government has authorized the transfer, from money held in the Special Deposit Fund to reimburse the State for expenses for administering State Lands

Leases, a sum greater than \$12,000 which is the maximum amount now permitted to be transferred under the provisions of Chapter 7, Statutes of 1951.

In order that the State may receive the benefit of this greater amount of reimbursement, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 214**—An act to amend Section 1688 of the Labor Code, relating to licensing of farm labor contractors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor:

##### Amendment No. 1

On page 1 of the printed bill, after line 12, insert

"SEC. 2. This provision of this act shall become operative on January 1, 1954, it being the intention of the Legislature that all licenses issued on and after that date shall expire on December 31, 1954, and on the thirty-first day of December of each subsequent year. Licenses in existence on December 31, 1953, need not be renewed until April 1, 1954, but such licenses shall expire on December 31, 1954."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 330**—An act to add Section 9130.5 to the Government Code, relating to claims against the contingent funds of the Assembly and Senate.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

##### Amendment No. 1

In line 9 of the printed bill, strike out "correction", and insert "conviction".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 733**—An act to add Sections 5210, 5211, 5291, 5292, and 5293 to the Business and Professions Code, relating to regulation of outdoor advertising.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Freeway" Defined."

##### Amendment No. 2

On page 1, line 11, of said bill, strike out "Landscaped Freeway" Defined."

##### Amendment No. 3

On page 1 of said bill, strike out lines 23 to 26, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"5291. Except as provided in Sections 5292 and 5293, no advertising display shall be placed or maintained on property adjacent to a section of freeway which has been, or hereafter may be, landscaped as defined herein, if the advertising display is both:

(a) Located on property which lies within the two end boundary lines or termini of the landscaped section as extended at right angles from the center line of the landscaped section of the freeway, or if the center line is curved, as extended from the tangent of the curve of such center line.

(b) Designed to be viewed primarily by persons traveling on such landscaped section of a freeway.

The prohibition provided in subdivision (a) shall not apply to advertising displays which are located outside the limits of the section of the freeway actually landscaped."

**Amendment No. 4**

On page 2, lines 5 and 6, of said bill, strike out "Removal of Advertising Displays in Violation of Section 5291."

**Amendment No. 5**

On page 2, lines 15 and 16, of said bill, strike out "Advertising Structures and Signs Exempted from Section 5291."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 734**—An act to amend Section 5227 of the Business and Professions Code, relating to the regulation of outdoor advertising.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "displays", insert "which may be".

**Amendment No. 2**

On page 1, line 13, of said bill, strike out "a regulation pro-".

**Amendment No. 3**

On page 1 of said bill, strike out lines 14 to 16, inclusive, and insert "(a) the designation of districts in which advertising displays may be placed as part of a general district zoning plan; and (b) a regulation prohibiting advertising displays within a certain distance of a freeway, highway or street, in any district or area, if the same setback restriction is applied uniformly to all other buildings and structures in such district or area. The authority otherwise to regulate and control the placing of advertising displays within view of the public highways in unincorporated areas is reserved exclusively to the Legislature in accordance with the provisions of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1349**—An act to amend Sections 2393 and 2429 of the Business and Professions Code, relating to the healing arts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "any certificate", and insert "physician's and surgeon's certificates and holders of certificates to practice chiropody".

**Amendment No. 2**

On page 1, line 11, of said bill, after "groups", insert "of physicians and surgeons or of chiropodists, respectively".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1363**—An act to add Section 156 to the Business and Professions Code, relating to contracts of the Department of Professional and Vocational Standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "may", insert "at the request and with the consent of the particular board within the department on whose behalf the contract is to be made,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 135**—An act to amend Section 6508 of the Business and Professions Code, relating to barbers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1351**—An act to amend Section 114 of, and to add Section 114.5 to, the Business and Professions Code, relating to the reinstatement of licenses of persons serving in the armed forces.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1404**—An act to amend Section 7302 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "manager-operator".

**Amendment No. 2**

On page 1 of said bill, strike out lines 16 to 19 inclusive, and insert "(f) Who has not had at least five years experience in the actual practice of cosmetology, or".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1405**—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In the title of the printed bill, strike out "Section", and insert "Sections".

**Amendment No. 2**

In the title of said bill, after "7332", insert "and 7351".

**Amendment No. 3**

On page 1, line 19, of said bill, after "years", insert "outside of this State".



**Amendment No. 4**

On page 1, of said bill, after line 23, insert

"SEC. 2. Section 7351 of said code is amended to read:

7351. The board shall admit to examination for a certificate of registration and license as a manicurist, any person who has made application to the board in proper form, paid the fee required by this chapter, and who is qualified as follows:

- (a) Who is not less than 18 years of age.
- (b) Who is of good moral character and temperate habits.
- (c) Who has completed the tenth grade in the public schools of this State or its equivalent.
- (d) Who has had any one of the following:
  - (1) Practical training of at least 350 hours extending over a period of not less than three months under the immediate supervision of a licensed instructor, in a licensed school in which the practice is taught.
  - (2) Practice in manicuring for a period of two years *outside of this State.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1406**—An act to amend Section 7420 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 4 to 9, inclusive.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 696**—An act to add Section 19622.7 to the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "shall transfer the appropriation".

**Amendment No. 2**

On page 1 of said bill, strike out all of line 4.

**Amendment No. 3**

On page 1, line 5, of said bill, strike out "the State Fair and Exposition Fund, and he".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 185**—An act to amend Section 13926 of the Government Code, relating to awards for state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On line 5 of the printed bill, after the word "ideas", insert "which have been adopted and".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 203**—An act to add Section 13956 to the Government Code, relating to the purchase of passenger-type motor vehicles for state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 4, of the printed bill, insert "passenger type" before the word "motor."

**Amendment No. 2**

On page 1, line 16, of the printed bill, strike out "appointed by", and insert "who are full time appointees of".

**Amendment No. 3**

On page 1, line 17, of said bill, strike out "appointed by", and insert "who are full time appointees of".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1828**

Senator Williams moved that Senate Bill No. 1828 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1828**—An act to amend Section 6885 of the Business and Professions Code, relating to collection agencies.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 6885", and insert "Sections 6885 and 6886".

**Amendment No. 2**

On page 2 of said bill, after line 5, insert

"SEC. 2. Section 6886 of said code is amended to read:

6886. Except as in this chapter otherwise provided, the person to be actively in charge of an agency or office as manager, shall:

- (a) Be a citizen of the United States.
- (b) Be at least 21 years of age.
- (c) Be of good moral character.
- (d) Be a bona fide resident of this State continuously for at least one year prior to the date of the filing of the application.

- (e) Possess the necessary qualifications of learning and ability.
- (f) Pass the examination required.
- (g) Be a qualified elector of this State.
- (h) *Pay the examination fee to the Secretary of State."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### CONSIDERATION OF DAILY FILE (RESUMED)

##### THIRD READING OF SENATE BILLS

**Senate Bill No. 736**—An act to amend Section 304.3 of the Code of Civil Procedure and Sections 68090 and 68091 of the Government Code, relating to fees of interpreters and translators.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Way, Weybret, and Williams—24.

NOES—Senator Hulse—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 344**—An act to amend Section 397 of the Penal Code, relating to the selling or furnishing of intoxicating liquors.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—23.

NOES—Senators Dilworth and Donnelly—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 529**—An act to amend Section 5091 of the Penal Code, relating to the state correctional system.

##### Motion to Refer Bill to Inactive File

Senator Byrne moved that Senate Bill No. 529 be placed on the inactive file.

Motion carried.

**Senate Bill No. 522**—An act to add Section 6503.2 to the Welfare and Institutions Code, relating to the granting of a right of way over state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 249**—An act to amend Sections 19153 and 19154 of the Education Code, relating to educational facilities.

Bill read third time.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Busch moved a call of the Senate.

Motion carried. Time, 11.30 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 11.32 a.m., on motion of Senators Busch and Montgomery, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 249 passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 817**—An act to add Chapter 22 to Division 3 of the Education Code, relating to the retirement of bonds for school district public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Ward, Way, and Weybret—24.

NOES—None

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 876**—An act to amend Section 9641 of the Education Code, relating to education of physically handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Ward, Weybret, and Williams—25.

NOES—None

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 11.40 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.



**Senate Bill No. 1022**—An act to amend Section 20354 of the Education Code, relating to the lease of state college property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Tenney, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Ed. C. Johnson Presiding**

At 11.56 a.m., Senator Ed. C. Johnson of the Tenth District, presiding.

**Senate Bill No. 286**—An act to repeal Section 5009 of, and to add Section 5009 to, the Education Code, relating to school district audits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 706**—An act to amend Sections 5473, 5473.4, and 5473.6, and to repeal Sections 5473.7, 5473.9, and 5473.10, of the Health and Safety Code, relating to assessments for sanitation and sewerage systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 747**—An act to amend Section 14025 of, and to add Section 14030 to, the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 761**—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—Senator Ward—1.

#### MOTION TO RECONSIDER

Senator Ward moved to reconsider the vote whereby Senate Bill No. 761 was passed.

#### POSTPONEMENT OF RECONSIDERATION

On motion of Senator Ward, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 761 was passed, was continued until the next legislative day.

**Senate Joint Resolution No. 12**—Relative to requesting the Congress of the United States to adopt and submit an amendment to the Constitution pertaining to treaties and executive agreements.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—26.

NOES—Senator Busch—1.

Resolution ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Senate Bill No. 844**—An act to add Section 26543 to the Government Code, relating to the district attorneys and county counsels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Tenney, Thompson, Ward, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

#### COMMUNICATIONS

The following communications were received and read and ordered printed in the Journal:

DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, February 26, 1953

Mr. J. A. Beek  
Secretary of the Senate  
State Capitol  
Sacramento, California

DEAR MR. BEEK: Pursuant to Section 230 of the Water Code, there is transmitted herewith a progress report prepared by the Division of Water Resources, Department of Public Works, entitled "Reclamation of Water from Sewage or Industrial Waste," December 1952. In the future, progress reports will be submitted annually.

This report comprises a review of other investigations and reports, and of current research pertinent to the subject, fundamental considerations and data upon which to base future reports concerning specific projects and a survey of waste discharges, treatment plants and sewerage areas in urban centers along the coast. Data on quantities

and mineral quality of waste discharged to the ocean and saline bays are given in the report. The report sets forth those areas along the coast where further detailed investigations of the feasibility of reclamation and utilization of water from sewage or industrial waste now appears to be justified.

Very truly yours,

FRANK B. DURKEE  
Director of Public Works

Letter ordered printed in the Journal, and report filed with the Secretary of the Senate.

DEPARTMENT OF EDUCATION  
SACRAMENTO 14, March 2, 1953

*Honorable Goodwin J. Knight  
Lieutenant Governor and President of the Senate  
State Capitol, Sacramento 14, California*

MY DEAR MR. KNIGHT: At the request of the State College Council I am transmitting to you a Report of the State College Council as provided by Section 20329 of the Education Code.

Sincerely yours,

ROY E. SIMPSON, Secretary  
State College Council

Letter ordered printed in the Journal, and report filed with the Secretary of the Senate.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1760

Senator Burns moved that Senate Bill No. 1760 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1760**—An act to amend Section 7304 of the Revenue and Taxation Code, and to repeal Part 3 of Division 2 of said code, relating to the taxation of the use of motor vehicle fuel.

Bill read second time.

#### Motion to Amend

Senator Burns moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7304 of", and insert "add Section 8651.1 to".

#### Amendment No. 2

In line 2 of the title of said bill, strike out "and to repeal Part 3 of Division 2 of said code,".

#### Amendment No. 3

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert "SECTION 1. Section 8651.1 is added to the Revenue and Taxation Code, to read: 8651.1. An excise tax is hereby imposed at the rate of two cents (\$.02) per gallon on the use of fuel by any user with respect to any vehicle of a type described in subdivision (a) of Section 372 of the Vehicle Code having an unladen weight of 3,000 pounds or more. The tax imposed under this section is in addition to the tax imposed under Section 8651."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 321  
 Assembly Bill No. 569  
 Assembly Bill No. 599  
 Assembly Bill No. 602  
 Assembly Bill No. 604  
 Assembly Bill No. 667  
 Assembly Bill No. 1046  
 Assembly Bill No. 1127  
 Assembly Bill No. 1129  
 Assembly Bill No. 1340  
 Assembly Bill No. 1373  
 Assembly Bill No. 1376  
 Assembly Bill No. 1377  
 Assembly Bill No. 1379  
 Assembly Bill No. 1380  
 Assembly Bill No. 1381

Assembly Bill No. 1382  
 Assembly Bill No. 1383  
 Assembly Bill No. 1492  
 Assembly Bill No. 1555  
 Assembly Bill No. 1785  
 Assembly Bill No. 1815  
 Assembly Bill No. 1837  
 Assembly Bill No. 1873  
 Assembly Bill No. 1874  
 Assembly Bill No. 1875  
 Assembly Bill No. 1977  
 Assembly Bill No. 1978  
 Assembly Bill No. 1979  
 Assembly Bill No. 2038  
 Assembly Bill No. 2683

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By ROBERT S. THURN, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1784

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By ROBERT S. THURN, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 321**—An act to amend Section 1 of Chapter 12 of the Statutes of 1950, Third Extraordinary Session, relating to elections.

Referred to Committee on Elections.

**Assembly Bill No. 569**—An act to amend Section 123 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Referred to Committee on Social Welfare.

**Assembly Bill No. 599**—An act to amend Section 678 of the Agricultural Code, relating to butter.

Referred to Committee on Agriculture.

**Assembly Bill No. 602**—An act to amend Section 737.6-2 of the Agricultural Code, relating to funds for fluid milk and milk-fat testing, weighing and sampling.

Referred to Committee on Agriculture.

**Assembly Bill No. 604**—An act to amend Section 260.2 of the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Agriculture.

**Assembly Bill No. 667**—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees.

Referred to Committee on Transportation.



**Assembly Bill No. 1046**—An act to amend Sections 137 and 146 of the Agricultural Code, relating to the expense of abatement work in plant quarantine and pest control.

Referred to Committee on Agriculture.

**Assembly Bill No. 1127**—An act to amend Sections 911.23, 912, and 914 of, and to repeal Section 911.25 of, the Agricultural Code, relating to agricultural seeds and seed inspection.

Referred to Committee on Agriculture.

**Assembly Bill No. 1129**—An act to amend Sections 34.6, 120, 120.5, and 121 of the Agricultural Code, relating to the commingling of nursery license, plant certification and identification record fees and the listing of nursery licensees.

Referred to Committee on Agriculture.

**Assembly Bill No. 1340**—An act to amend Sections 1679.2, 1706.9, 1706.95, and 1709.2 of, and to add Sections 1643.5 and 1705.6 to, the Insurance Code, all relating to insurance production agencies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1373**—An act to amend Section 2319 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1376**—An act to amend Section 2376.5 of the Business and Professions Code, relating to practice of the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1377**—An act to add Section 2293 to the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1379**—An act to amend Section 2313 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1380**—An act to amend Section 2191 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1381**—An act to amend Sections 2135, 2340, and 2343 of the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1382**—An act to amend Section 2553 of the Business and Professions Code, relating to dispensing opticians.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1383**—An act to add Section 2147.6 to the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1492**—An act to amend Section 258.5 of the Health and Safety Code, relating to physically handicapped children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1555**—An act to amend Section 11716 of, and to add Sections 11716.1, 11716.2, 11716.3, and 11716.4 to, the Insurance Code, and to amend Section 4 of Chapter 14 of the Statutes of 1953, relating to insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1785**—An act to amend Section 6652 of the Welfare and Institutions Code, relating to charges for services furnished by the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1815**—An act to amend Sections 104.1 and 104.6 of the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1837**—An act to amend Sections 5125, 5126, 5127, and 5128 of the Welfare and Institutions Code, relating to jury trials of mentally ill persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1873**—An act to codify Chapter 17 of the Statutes of 1907, relating to hospitals, by adding Division 23.5, comprising Sections 32500 to 32508, inclusive, to the Health and Safety Code, and repealing Chapter 17 of the Statutes of 1907.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1874**—An act to codify Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935, relating to fire protection by adding Sections 13007, 13008, 13009, 13010, and 13052.5 to the Health and Safety Code, and repealing Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1875**—An act to codify Chapter 578 of the Statutes of 1911, relating to cemeteries, by adding Sections 8134 and 8560.5 to the Health and Safety Code, and repealing Chapter 578 of the Statutes of 1911.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1977**—An act to amend Section 762.95 of the Agricultural Code, relating to inspection of canning tomatoes.

Referred to Committee on Agriculture.

**Assembly Bill No. 1978**—An act to amend Sections 400 and 415 of the Agricultural Code, relating to estrays or unclaimed animals or hides.

Referred to Committee on Agriculture.

**Assembly Bill No. 1979**—An act to amend Sections 380.64, 512, 661(d), 679, 737.10, 1092, and 1300.2 of the Agricultural Code, relating to the reports of the Director of Agriculture.

Referred to Committee on Agriculture.

**Assembly Bill No. 2038**—An act to amend Section 778 of the Welfare and Institutions Code, relating to juvenile court proceedings to declare persons free from the custody and control of their parents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2683**—An act to repeal Chapter 363 of the Statutes of 1913 and Section 6625 of the Welfare and Institutions Code, relating to the asexualization of idiots and fools.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1784**—An act to amend Section 6720 of, and to add Section 6722 to, the Welfare and Institutions Code, relating to escape from a state hospital or Veterans' Administration hospital or facility.

Referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 38

Senate Concurrent Resolution No. 39

Senate Concurrent Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 19

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered enrolled.

#### LETTER OF TRANSMITTAL

March 4, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 172, read and adopted by the Senate of California at the Regular Session of The Legislature on June 21, 1951. The Senate Fact-Finding Committee on Establishing a Port Development Agency on June 21, 1951, for the San Francisco Bay Area herewith submits its report.

The Senate committee's study provides for a general summary of the findings developed in its report presented to the 1951 Regular Session of the Legislature, with additional facts and data having a bearing on the determination of the type of harbor agency required to serve the State and Bay region.

This report supplements to a degree the report being submitted by the Interim San Francisco Bay Ports Commission recommending the establishment of a Northern

California Ports and Terminals Bureau, with which recommendations this committee is in concurrence.

The committee wishes to express its sincere appreciation to officials of Federal, State and municipal government and to the many public and private organizations, including the ports and terminals of the Bay region, for their assistance to the committee and staff in the preparation of this report.

Respectfully submitted,

JESSE M. MAYO, Chairman  
ARTHUR H. BREED, JR., Vice Chairman  
CHARLES BROWN  
JAMES J. MCBRIDE  
GEORGE MILLER, JR.  
GERALD J. O'GARA  
EDWIN J. REGAN

#### MOTION TO PRINT REPORT

Senator Powers moved that the letter of transmittal be printed in the Journal, and Part I of the report submitted by the Senate Fact-Finding Committee on Establishing a Port Development Agency for the San Francisco Bay Area be printed in the Appendix to the Journal, and 1,500 additional copies be printed.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 6, 1953.

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 284

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1953.

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1754

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

#### ADJOURNMENT

At 12.47 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, March 9, 1953 out of respect to the memory of the late Raymond V. Darby.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-FIRST LEGISLATIVE DAY

TWENTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Monday, March 9, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Mayo, on motion of Senator Powers, due to illness.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

### PLEDGE OF ALLEGIANCE

Senator Sutton led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arden D. Brockman of Kern County and Harry R. Wilson of Tehachapi.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Menzies of Glendale, Dr. Joseph J. Engholm of Pasadena, and Judge William E. Fox of Pasadena.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to General Owen J. Cleary, Secretary of State, State of Michigan, and Robert Smith of Ventura.

On request of Senators O'Gara and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Mary St. Julian, BVM, Sister Mary Jane Therese, BVM, and the following students of St. Paul's High School in San Francisco: Mrs. L. W. Poncetta, Betty Poncetta, Sue Smith, Barbara Keeley, Patricia Raineri, Irene Keegan, Mrs. Mary Baldesehi, Dolores Cashman, Beatrice Kelleher, Maureen Mullen, Adrienne Del Carlo, Louise Canevari, Norma Baldesehi, Barbara Foley, Angela Spediasei, Ann O'Brien, Marie Valentino, Gerry Lynch, Claudia Bennett, Mary Louise Welch, Eleanor Twomey, Mary Ragusin, Pat LaGrave, Gerry Russo, and Pat Malone.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. Rodger Howell of Santa Ana.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Barbara Heigho of San Bernardino, and Mr. and Mrs. William Pope of Los Angeles.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. John Walquist of San Jose.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pat Lagrave and Pat Malone of San Francisco.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dean Fisher, publisher, Merced Sun-Star.

On request of Senators Collier and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Earl Shoupe of Dunsmuir.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 40

Assembly Concurrent Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 40**—Relative to the passing of Raymond V. Darby.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 40, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 40**

**Assembly Concurrent Resolution No. 40**—Relative to the passing of Raymond V. Darby.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

Resolution ordered transmitted to the Assembly.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 41**—Relative to the death of James J. Jeffries.

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 41, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 41**

**Assembly Concurrent Resolution No. 41**—Relative to the death of James J. Jeffries.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

Resolution ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 6, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 105	Senate Bill No. 498
Senate Bill No. 111	Senate Bill No. 503
Senate Bill No. 125	Senate Bill No. 541
Senate Bill No. 131	Senate Bill No. 597
Senate Bill No. 135	Senate Bill No. 635
Senate Bill No. 167	Senate Bill No. 636
Senate Bill No. 191	Senate Bill No. 703
Senate Bill No. 262	Senate Bill No. 746
Senate Bill No. 263	Senate Bill No. 797
Senate Bill No. 277	Senate Bill No. 821
Senate Bill No. 279	Senate Bill No. 1350
Senate Bill No. 285	Senate Bill No. 1351
Senate Bill No. 287	Senate Bill No. 1635
Senate Bill No. 290	Senate Joint Resolution No. 10
Senate Bill No. 435	

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 55	Senate Bill No. 696
Senate Bill No. 104	Senate Bill No. 798
Senate Bill No. 124	Senate Bill No. 933
Senate Bill No. 187	Senate Bill No. 1014
Senate Bill No. 203	Senate Bill No. 1018
Senate Bill No. 280	Senate Bill No. 1404
Senate Bill No. 282	Senate Bill No. 1405
Senate Bill No. 288	Senate Bill No. 1406
Senate Bill No. 330	Senate Bill No. 1632
Senate Bill No. 502	Senate Bill No. 1757

And reports the same correctly engrossed.

POWERS, Chairman

## Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT : The Committee on Water Resources, to which was referred :

Senate Concurrent Resolution No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, be adopted as amended.

Committee membership 11 ; committee vote : Ayes 10 ; absent 1.

WILLIAMS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT : The Committee on Water Resources, to which were referred :

Senate Bill No. 752  
 Senate Bill No. 753  
 Senate Bill No. 1645

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 11 ; committee vote : Ayes 10 ; absent 1.

WILLIAMS, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1320

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 57**

Senator Way moved that Senate Bill No. 57 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 57**—An act to add Section 506 to the Fish and Game Code, relating to commercial fishing.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out "506", and insert "665".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "506", and insert "665".

**Amendment No. 3**

On page 1, line 3, of said bill, strike out "506", and insert "665".

**Amendment No. 4**

On page 1, line 3, of said bill, strike out "in District 8".

**Amendment No. 5**

On page 1, line 4, of said bill, strike out "and".

**Amendment No. 6**

On page 1, lines 5 and 6, of said bill, strike out "at the mouth of Eel, Mad, Little River, Mattole Rivers, and Redwood Creek and".

**Amendment No. 7**

On page 1, line 6, of said bill, strike out "three", and insert "five nautical".

**Amendment No. 8**

On page 1, line 7, of said bill, before "miles", insert "nautical".

**Amendment No. 9**

On page 1, line 8, of said bill, strike out "and of each of said streams".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 723**

Senator Way moved that Senate Bill No. 723 be withdrawn from Committee on Fish and Game for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 723**—An act making an appropriation for the establishment of a fish hatchery on Cedar Creek.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "making an appropriation", and insert "providing".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert "SECTION 1. The Wildlife Conservation Board shall authorize, and the Department of Fish and Game shall cause to be constructed, in accordance with the Wildlife Conservation Act of 1947, such facilities as may be necessary".

**Amendment No. 3**

On page 1, line 6, of said bill, after the period, insert "The money in the Wildlife Restoration Fund is available for the purposes of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1760**

Senator Burns moved that Senate Bill No. 1760 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1760**—An act to add Section 8651.1 to the Revenue and Taxation Code, relating to the taxation of the use of motor vehicle fuel.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

Strike out the title of the printed bill, as amended in Senate March 6, 1953, and insert "An act to amend Sections 8604, 8608, and 9256 of, and to add Sections 8610, 8611, 8651.5, 8706, 9257, 9258, and 9957 to, the Revenue and Taxation Code, and to add Section 372.1 to the Vehicle Code, relating to the use fuel tax, the motor vehicle transportation license tax and weight fees on commercial vehicles, and providing that this act shall take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1 of said bill, as amended, strike out lines 13 to 20, inclusive, and insert "SECTION 1. Section 8651.5 is added to the Revenue and Taxation Code, to read: .8651.5. A supplemental excise tax is hereby imposed at the rate of four and one-half cents (\$.04½) per gallon on the use in any heavy motor vehicle, of fuel by any user thereof.

SEC. 2. Section 8604 of the Revenue and Taxation Code is amended to read: 8604. "Fuel" includes:

(a) For purposes of the tax imposed by Section 8651, any combustible gas or liquid, by whatever name the gas or liquid may be known or sold, of a kind used in an internal combustion engine for the generation of power to propel a motor vehicle on the highways, except fuel that is subject to the tax imposed by Part 2 of this division.

(b) For purposes of the tax imposed by Section 8651.5, fuel included in (a) of this section and fuel that is subject to the tax imposed by Part 2 of this division.

SEC. 3. Section 8608 of the Revenue and Taxation Code is amended to read:

8608. "User" includes any person who, within the meaning of the term "use" as defined in this chapter, uses fuel as defined in Section 8604 (a), or uses in a heavy motor vehicle fuel that is subject to the tax imposed by Part 2 of this division.

SEC. 4. Section 8610 is added to the Revenue and Taxation Code, to read:

8610. "Heavy motor vehicle" means

(a) Any motor vehicle having an unladen weight of 6,001 pounds or more, and

(b) Any truck tractor having an unladen weight of 5,001 pounds or more, designed, used or maintained primarily for the transportation of property.

SEC. 5. Section 8611 is added to the Revenue and Taxation Code, to read:

8611. "Tax" means the tax imposed by Section 8651 or 8651.5, or the taxes imposed by both sections.

SEC. 6. Section 8706 is added to the Revenue and Taxation Code, to read:

8706. Before operating a heavy motor vehicle upon the highways, each user shall obtain for the vehicle from the Department of Motor Vehicles plates or emblems indicating that a use fuel tax permit has been obtained by him. Each plate or emblem shall be attached to and conspicuously displayed upon the vehicle for which it was issued in such manner as the department may require. The department shall immediately notify the board of the issuance of the plates or emblems.

SEC. 7. Section 9256 of the Revenue and Taxation Code is amended to read:

9256. Before registering any motor vehicle, the Department of Motor Vehicles shall ascertain from the applicant for registration whether or not the motor vehicle sought to be registered is propelled by a fuel the use of which is subject to the excise tax imposed [under this part] by Section 8651. If the motor vehicle is propelled by the use of such a fuel, the department shall notify the board.

SEC. 8. Section 9257 is added to the Revenue and Taxation Code, to read:

9257. The Highway Patrol shall assist the board in the enforcement of the provisions of this part prohibiting a user from operating a heavy motor vehicle upon the highways without first obtaining the permit required by Section 8701 and without displaying on the vehicle the plates or emblems required by Section 8706. The Highway Patrol shall promptly transmit to the board on a form prescribed by it information respecting any vehicle found by the Highway Patrol to have been operated in violation of this part.

SEC. 9. Section 9258 is added to the Revenue and Taxation Code, to read:

9258. The board, by contract with the Department of Agriculture, may make such arrangements as may be feasible for the use of the facilities and personnel of the department's border quarantining stations in the enforcement of the provisions of this part with respect to the operations of foreign heavy motor vehicles and that department shall enforce such provisions in accordance with such contractual arrangements.

SEC. 10. Section 9657 is added to the Revenue and Taxation Code, to read:

9657. This part does not apply to operators engaged exclusively in the transportation of property.

The tax does not apply to the gross receipts derived from the transportation of

(a) Property in vehicles designed, used or maintained primarily for the transportation of property, or

(b) Persons in vehicles designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 is applicable.

SEC. 11. Section 372.1 is added to the Vehicle Code, to read:

372.1. (a) In lieu of the fees imposed in subdivision (c) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having not more than two axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in

which the tax imposed by Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

Unladen Weight		Fee
(1)	5,001 lbs. to and including 7,000 lbs.	\$10.00
(2)	7,001 lbs. to and including 8,000 lbs.	15.00
(3)	8,001 lbs. to and including 9,000 lbs.	20.00
(4)	9,001 lbs. to and including 10,000 lbs.	25.00
(5)	10,001 lbs. to and including 11,000 lbs.	30.00
(6)	11,001 lbs. to and including 12,000 lbs.	40.00
(7)	12,001 lbs. to and including 13,000 lbs.	50.00
(8)	13,001 lbs. to and including 14,000 lbs.	60.00
(9)	14,001 lbs. and over	70.00

(b) In lieu of the fees imposed in subdivision (d) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having three or more axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed under Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

(1)	5,001 lbs. to and including 7,000 lbs.	\$15.00
(2)	7,001 lbs. to and including 8,000 lbs.	22.00
(3)	8,001 lbs. to and including 9,000 lbs.	30.00
(4)	9,001 lbs. to and including 10,000 lbs.	37.00
(5)	10,001 lbs. to and including 11,000 lbs.	45.00
(6)	11,001 lbs. to and including 12,000 lbs.	60.00
(7)	12,001 lbs. to and including 13,000 lbs.	75.00
(8)	13,001 lbs. to and including 14,000 lbs.	90.00
(9)	14,001 lbs. to and including 15,000 lbs.	105.00
(10)	15,001 lbs. and over	120.00

SEC. 12. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 697

Senator Parkman moved that Senate Bill No. 697 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 697**—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

#### Motion to Amend

Senator Parkman moved the adoption of the following amendments:

#### Amendment No. 1

In line 7 of the title of the printed bill, strike out "revenue bonds", and insert "interest-bearing certificates to state agencies".



**Amendment No. 2**

In line 8 of the title of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 3**

In line 9 of the title of said bill, strike out "of the bonds", and insert "thereof".

**Amendment No. 4**

On page 2, line 3, of said bill, after "part", insert ", including the furnishing and equipping of the project".

**Amendment No. 5**

On page 2 of said bill, strike out lines 4 and 5, and insert "(d) 'Certificates' mean the interest-bearing certificates which the authority is".

**Amendment No. 6**

On page 2, lines 29 and 30, of said bill, strike out "A commission consisting", and insert "The authority consists".

**Amendment No. 7**

On page 2, line 31, of said bill, strike out "Corporation Commissioner", and insert "Superintendent of Banks".

**Amendment No. 8**

On page 2, lines 32 and 33, of said bill, strike out ", shall be in charge of the authority".

**Amendment No. 9**

On page 2, line 42, of said bill, strike out "commission", and insert "authority".

**Amendment No. 10**

On page 2 of said bill, strike out lines 46 to 51, inclusive, and insert "15803. Within 90 days after the effective date of this part the authority shall meet and organize.

At the first meeting of the authority, and at the first regular meeting in each year thereafter, the authority shall elect from its number a president and secretary."

**Amendment No. 11**

On page 3, lines 1 and 2, of said bill, strike out "commission", and insert "authority".

**Amendment No. 12**

On page 3, line 4, of said bill, strike out "commission", and insert "authority".

**Amendment No. 13**

On page 3, line 6, of said bill, strike out "commission", and insert "authority".

**Amendment No. 14**

On page 3, line 13, of said bill, strike out "commission", and insert "authority".

**Amendment No. 15**

On page 3, line 22, of said bill, strike out "commission", and insert "authority".

**Amendment No. 16**

On page 3, line 24, of said bill, strike out "commission", and insert "authority".

**Amendment No. 17**

On page 3, line 26, of said bill, strike out "commission", and insert "authority".

**Amendment No. 18**

On page 3, line 28, of said bill, strike out "commission", and insert "authority".

**Amendment No. 19**

On page 4 of said bill, between lines 2 and 3, insert "(f) Lease property owned by the State, upon which to construct a project."

**Amendment No. 20**

On page 4, line 3, of said bill, strike out "(f)", and insert "(g)".

**Amendment No. 21**

On page 4, line 5, of said bill, strike out "(g)", and insert "(h)".

**Amendment No. 22**

On page 4, line 7, of said bill, strike out "(h)", and insert "(i)".

**Amendment No. 23**

On page 4, line 18, of said bill, strike out "(i)", and insert "(j)".

**Amendment No. 24**

On page 4 of said bill, strike out lines 19 and 20, and insert "any project, make and issue certificates of".

**Amendment No. 25**

On page 4, line 21, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 26**

On page 4, line 24, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 27**

On page 4, line 25, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 28**

On page 4, line 26, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 29**

On page 4, line 27, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 30**

On page 4, line 28, of said bill, strike out "(j)", and insert "(k)".

**Amendment No. 31**

On page 4, line 28, of said bill, strike out the second "of", and insert "and".

**Amendment No. 32**

On page 4, line 31, of said bill, strike out "(k)", and insert "(l)".

**Amendment No. 33**

On page 4, line 34, of said bill, strike out "(l)", and insert "(m)".

**Amendment No. 34**

On page 4, line 35, of said bill, strike out "(m)", and insert "(n)".

**Amendment No. 35**

On page 4, line 38, of said bill, strike out "(n)", and insert "(o)".

**Amendment No. 36**

On page 4, line 39, of said bill, strike out "commission", and insert "authority".

**Amendment No. 37**

On page 4, line 40, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 38**

On page 4 of said bill, between lines 47 and 48, insert "(p) Obtain insurance on projects, both during and after construction, for the protection of the certificate holders."

**Amendment No. 39**

On page 4, line 48, of said bill, strike out "(o)", and insert "(q)".

**Amendment No. 40**

On page 5, line 9, of said bill, strike out "commission", and insert "authority".

**Amendment No. 41**

On page 5 of said bill, strike out lines 18 and 19.

**Amendment No. 42**

On page 5, line 32, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 43**

On page 5, line 32, of said bill, after the period, insert "The proceeds of any public works so sold shall be applied to the redemption of outstanding certificates."

**Amendment No. 44**

On page 5, line 37, of said bill, strike out "30", and insert "33".

**Amendment No. 45**

On page 5, line 38, of said bill, after "and", insert "at any time after sufficient progress has been made upon the project to render the works usable or".

**Amendment No. 46**

On page 5, line 43, of said bill, strike out "30", and insert "33".

**Amendment No. 47**

On page 5, line 45, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 48**

On page 5 of said bill, between lines 45 and 46, insert "resolutions of the authority, and shall bear such dates, mature at such time or times not exceeding 33 years from their respective dates, bear interest at such rate or rates agreed upon between the authority and the investing agency, not exceeding 6 percent per year, payable semi-annually, be in such denominations and in such form, be payable in such medium of payment and at such place or places, and subject to such terms of redemption at such prices not exceeding 105 percent of the principal amount as the resolutions provide.

15810. The certificates shall bear the signatures of the Governor and of the president of the authority, together with a facsimile of the corporate seal and signature of the secretary and treasurer in attestation thereof. Only one of the signatures required by this section need be a manual signature and all other signatures may be either originals or facsimiles thereof. Any certificates may be issued and delivered notwithstanding that one or more of the officers signing the certificates shall have ceased to be such officer or officers at the time when the certificates are actually delivered.

15811. The certificates shall be sold to state agencies having jurisdiction over special or trust funds, without advertisement or competitive bidding, at a rate of interest to be agreed upon between the authority and the investing agency. Such certificates are a legal investment for any state special or trust fund.

15812. The revenues, rentals, or receipts from all projects authorized at any one session of the Legislature, after deducting the cost of maintaining such projects, are hereby pledged to the redemption of the certificates issued to finance the construction of all such projects. The certificates issued to finance the projects authorized at one session shall be equally secured by a lien upon the revenues, rentals, or receipts pledged to secure them without priority for number, date of certificates, of sale, of execution, or of delivery pursuant to this part.

15813. Any resolutions authorizing any certificates may contain provisions which are part of the contract with the certificate holders as to:

(a) The construction, improvement, operation, extension, enlargement, maintenance and repair of any projects and the duties of the authority with reference thereto.

(b) The terms and provisions of the certificates.

(c) Limitations on the purposes to which the proceeds of the certificates, then or thereafter to be issued, or of any loan or grant by the United States may be applied.

(d) The rate of rentals and other charges for use of the facilities of, or for the services rendered by the authority, including limitations upon the power of the authority to modify any leases or other agreements pursuant to which any rentals or other charges are payable.

(e) The setting aside of reserves or sinking funds and the regulation and disposition of them.

(f) Limitations on the issuance of additional certificates.

(g) The terms and provisions of any deed of trust or indenture securing the certificates, or under which the certificates are issued.

(h) Any other agreements with the certificate holders."

**Amendment No. 49**

On page 5 of said bill, strike out lines 46 to 52, inclusive; strike out page 6, and on page 7, strike out lines 1 to 31, inclusive.

**Amendment No. 50**

On page 7, line 36, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 51**

On page 7, lines 46 and 47, of said bill, strike out "holders of bonds", and insert "certificate holders".

**Amendment No. 52**

On page 7, line 48, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 53**

On page 7, line 49, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 54**

On page 7, line 50, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 55**

On page 7, line 51, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 56**

On page 7, line 51, of said bill, after "are", insert "not".

**Amendment No. 57**

On page 7, line 52, of said bill, after "instruments", insert "but are transferable between state agencies having jurisdiction over special or trust funds".

**Amendment No. 58**

One page 8, line 2, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 59**

On page 8, line 3, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 60**

On page 8, line 5, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 61**

On page 8, line 6, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 62**

On page 8, line 7, of said bill, strike out "bond", and insert "certificates".

**Amendment No. 63**

On page 8, line 8, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 64**

On page 8, line 9, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 65**

On page 8, line 9, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 66**

On page 8, line 10, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 67**

On page 8, line 12, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 68**

On page 8, line 13, of said bill, strike out "bonds originally issued, or to refund bonds", and insert "certificates originally issued or to refund certificates".

**Amendment No. 69**

On page 8, of said bill between lines 14 and 15, insert  
"15816.5. The State Treasurer shall act as trustee for the authority and the holders of the certificates issued under this part, and the authority may authorize the trustee to act on behalf of the holders of the certificates, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the certificates such rights and remedies as may be available to the holders.

The authority shall, by resolution, prescribe the duties and powers of such trustee with respect to the issuance, authentication, sale, and delivery of the certificates, and the payment of principal and interest thereof, the redemption of the certificates, and the management, exclusive of the investment or reinvestment thereof, of any sinking fund or other funds provided as security for the certificates."

**Amendment No. 70**

On page 8, line 16, of said bill, strike out "bondholders", and insert "certificate holders."

**Amendment No. 71**

On page 8, line 18, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 72**

On page 8, line 19, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 73**

On page 8, line 20, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 74**

On page 8, line 22, of said bill, strike out "bonds", and insert "certificates".



**Amendment No. 75**

On page 8, line 26, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 76**

On page 8, line 28, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 77**

On page 8, line 33, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 78**

On page 8, line 36, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 79**

On page 8, line 40, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 80**

On page 8, line 45, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 81**

On page 8, line 46, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 82**

On page 8, line 48, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 83**

On page 8, line 50, of said bill, strike out "bondholders'", and insert "certificate holders'".

**Amendment No. 84**

On page 8, line 51, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 85**

On page 9, line 2, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 86**

On page 9, line 4, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 87**

On page 9, line 7, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 88**

On page 9, line 12, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 89**

On page 9, line 22, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 90**

On page 9, line 25, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 91**

On page 9, line 33, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 92**

On page 9, line 39, of said bill, strike out "bondholders", and insert "certificate holders".

**Amendment No. 93**

On page 10, line 14, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 94**

On page 10, line 18, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 95**

On page 10, line 19, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 96**

On page 10, line 22, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 97**

On page 10, line 25, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 98**

On page 10, line 29, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 99**

On page 10, line 30, of said bill, strike out "bonds. All bonds", and insert "certificates. All certificates".

**Amendment No. 100**

On page 11, line 43, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 101**

On page 11, line 44, of said bill, strike out "bonds", and insert "certificates".

**Amendment No. 102**

On page 11, line 45, of said bill, strike out "bonds", and insert "certificates".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 495**

Senator Williams moved that Senate Bill No. 495 be withdrawn from Committee on Fish and Game for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 495**—An act to add Section 450.2 to the Fish and Game Code, relating to the wasting of game birds or mammals.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "or", insert "game".

**Amendment No. 2**

On page 1, line 5, of said bill, after "bird or", insert "game".

**Amendment No. 3**

On page 1, line 6, of said bill, after "bird or", insert "game".

**Amendment No. 4**

On page 1, line 10, of said bill, strike out "bird or", and insert "game bird or game".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1527**

Senator Ed. C. Johnson moved that Senate Bill No. 1527 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1527**—An act to add Section 316.5 to the Agricultural Code, relating to inspection of vehicles used in transportation of meat.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "establishment", insert "operating under federal, state, or municipal approved inspection".

**Amendment No. 2**

On page 1, line 8, of said bill, after "inspected", insert "by inspectors stationed at the establishment".

**Amendment No. 3**

On page 1, line 8, of said bill, after "director", insert "and regulations of the Bureau of Animal Industry of the United States Department of Agriculture in those establishments operating under federal inspection".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1633**

Senator Parkman moved that Senate Bill No. 1633 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1633**—An act to add Sections 7.5 and 7.6 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "department", insert "holding a position specified in subsection (5) of subdivision (a) of Section 4 of Article XXIV of the Constitution".

**Amendment No. 2**

On page 1, line 12, of said bill, after the period, insert "The director so designating such a deputy shall be responsible for the acts of the deputy acting under such designation in the same manner and to the same extent that the director is responsible for the acts of the deputy performing his official duties as deputy director of the department."

**Amendment No. 3**

On page 1, line 19, of said bill, after "office" insert "holding a position specified in subsection (5) of subdivision (a) of Section 4 of Article XXIV of the Constitution".

**Amendment No. 4**

On page 1, line 24, of said bill, after the period, insert "The constitutional officer so designating a deputy shall be responsible for the acts of the deputy acting under such designation in the same manner and to the same extent that the constitutional officer is responsible for the acts of the deputy performing his official duties as a deputy of the office of the constitutional officer."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Senate Journals for Monday, March 2, 1953; Tuesday, March 3, 1953; Wednesday, March 4, 1953; Thursday,

March 5, 1953; and Friday, March 6, 1953; be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

#### RESOLUTIONS

The following resolution was offered:

By Senator Desmond:

##### Senate Resolution No. 73

Relative to congratulating the Sacramento Girl Scout Council on its accomplishments, and Loren McArthur on her selection as a representative scouter

WHEREAS, The Sacramento Council, Girl Scouts of America, has been in existence for approximately 10 years; and

WHEREAS, The council comprises some 3,200 Girl Scouts and approximately 800 adult volunteers acting in various capacities, all of whom are engaged in a program designed to improve the moral, ethical, intellectual and physical well-being of the scouts; and

WHEREAS, The council is helping to instill in its members the finest ideals and traditions of America; and

WHEREAS, Loren McArthur, a Girl Scout and member of the Sacramento Council, has been selected to represent the western section of the United States at the international Girl Scout Patrol Leaders Conference in Finland, a signal honor; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Sacramento Council, Girl Scouts of America, be congratulated upon the outstanding work it is doing for its members and associates, and that Loren McArthur, a scout and a member of the council, be congratulated on her selection as a representative girl scout; and be it further

*Resolved*, That copies of this resolution be forwarded to the Sacramento Council, Girl Scouts of America, and to Miss Loren McArthur.

Resolution read, and adopted on a motion of Senator Desmond.

#### CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

**Senate Bill No. 263**—An act to add Section 692 to, and to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, 619.5, 620, 621, 621.5, 652, 653, 654, 655, 656, 657, 658, 691, 693, 694, 695, 698, 698.5, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 721, 722, 724.5, 727, 728, 804, 809, 810, 810.5, 1200, 1201, 1270, 1272, and 1341 of, the Fish and Game Code, relating to seasons and bag limits for fish and game and the sale of fish.

Bill read third time.

##### Motion to Amend

Senator Williams moved the adoption of the following amendment:

##### Amendment No. 1

On page 1, line 16, of the printed bill, after "inclusive", insert "of the Fish and Game Code".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 254**—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1132**—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the exemption of food products from sales and use taxation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1085**—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 2, line 4, of the printed bill, strike out "seconds", and insert "minutes".

##### Amendment No. 2

On page 2, line 6, of said bill, strike out "seconds", and insert "minutes".

##### Amendment No. 3

On page 2, lines 7 and 8, of said bill, strike out "seconds", and insert "minutes".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 700**—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 701**—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1295**—An act to repeal Chapter 388 of the Statutes of 1933, relating to horticultural development districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 49**—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate March 3, 1953, strike out after the word [any] the word "other".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1218**—An act to amend Section 2780.1 of the Penal Code, relating to the prison work camps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Institutions:

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "tions", insert ", subject to the approval of the Department of Finance".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 194**—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1776**—An act to amend Sections 3331 and 3332 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1777**—An act to repeal Section 3330 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1778**—An act to add Section 3302.3 to the Welfare and Institutions Code, relating to insuring materials and products of the California Industries for the Blind against damage or destruction by fire or water.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 284**—An act to amend Section 710 of the Code of Civil Procedure, relating to the enforcement of judgments against debtors to whom money is owed by public agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after the comma following the word "board", insert "office".

**Amendment No. 2**

On page 1, line 17, of said bill, after the comma following the word "board", insert "office".

**Amendment No. 3**

On page 1, line 20, of said bill, after the comma following the word "board", insert "office".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 1754**—An act to amend Section 340 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, lines 16 to 18, inclusive, of the printed bill, strike out "or against a doctor of veterinary medicine, for his neglect resulting in injury to the property of the plaintiff", and insert "or against any person who boards or feeds an animal or fowl or who engages in the practice of veterinary medicine as defined in Business and Professions Code Section 4826, for such person's neglect resulting in injury or death to an animal or fowl in the course of boarding or feeding such animal or fowl or in the course of the practice of veterinary medicine on such animal or fowl".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**MOTION TO RE-REFER SENATE BILLS NOS. 1778, 1757, AND 203**

Senator Hulse moved that Senate Bills Nos. 1778, 1757, and 203 be re-referred to Committee on Finance.

Motion carried.

**MOTION TO RETAIN PLACE ON FILE**

Senator Regan moved Senate Bill No. 209 be passed on file, and retain its place on file.

Motion carried.

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 684**—An act to amend Sections 1180 and 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of instruments.

Bill read third time.

**Motion to Amend**

Senator Busch moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 1181 of the Civil Code", and insert "1181 and 1184 of the Civil Code, and Section 179 of the Code of Civil Procedure".

**Amendment No. 2**

On page 1, line 5, of said bill, after "justice", insert "or clerk".

**Amendment No. 3**

On page 1 of said bill, strike out lines 6 and 7, and insert "or judge of a superior court."

**Amendment No. 4**

On page 1, lines 10 and 11, of said bill, strike out "city, county, city and county, or district for", and insert "county or city and county in".

**Amendment No. 5**

On page 1, line 13, of said bill, strike out "a court of record", and insert "a municipal or justice court".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 6

On page 1, after line 18, of said bill, insert

"6. A judge of a municipal or justice court.

SEC. 3. Section 1184 of said code is amended to read:

1184. When any of the officers mentioned in [the four preceding sections] *Sections 1180, 1181, 1182, and 1183* are authorized by law to appoint a deputy, the acknowledgment or proof may be taken by such deputy, in the name of his principal."

SEC. 4. Section 179 of the Code of Civil Procedure is amended to read:

179. [Every judge or justice shall have power in any part of the State] *Each of the justices of the supreme court and of any district court of appeal and the judges of the superior courts, shall have power in any part of the State, and every municipal court judge and judge of a justice court shall have power within the county or city and county in which he is elected or appointed,* to take and certify:

1. The proof and acknowledgment of a conveyance of real property, or of any other written instrument[;].

2. The acknowledgment of satisfaction of a judgment of any court.

3. An affidavit or deposition to be used in this State."

#### Amendment No. 7

On page 1, line 4, of the printed bill, strike out "s" at the end of the word "appeals".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Concurrent Resolution No. 34**—Relative to delivery of electric power from Central Valley Project facilities.

Resolution read.

#### Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 25, of the printed measure, after "until", strike out "the", and insert "this".

#### Amendment No. 2

On page 2, line 4, of said measure, strike out "the", and insert "this".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 39**—An act to amend Section 408 of the Education Code, relating to the compensation of the county superintendent of schools of a county of the eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 79**—An act to amend Section 28147 of the Government Code, relating to compensation for public service in counties of the forty-seventh class.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 100**—An act to amend Sections 29193 and 29194 of the Government Code, relating to district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 354**—An act to amend Section 60613 of, and to add Section 60613.1 to, the Government Code, relating to bonds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 348**—An act to add Section 60736 to the Government Code, relating to funds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 349**—An act to add Section 60670 to the Government Code, relating to bonds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 350**—An act to amend Section 60683 of the Government Code, relating to bonds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 351**—An act to amend Section 60673 of the Government Code, relating to bonds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 352**—An act to add Section 60671.2 to the Government Code, relating to bonds of community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 353**—An act to amend Section 60621 of the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 355**—An act to add Section 60108 to, and to amend Sections 60227, 60656, and 60757 of, the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 356**—An act to amend Sections 60102, 60103, 60200, and 60201 of the Government Code, relating to community services districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 357**—An act to amend Section 60672 of the Government Code, relating to bonds of community service districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 708**—An act to add Section 9.5 to the Municipal and Justice Court Act of 1949 and Section 71180.5 to the Government Code, relating to notice of the appointment, election, death, removal or resignation of judges of municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1564**—An act to repeal Section 31553.5 of, and to add Section 31553.5 to, the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 55**—An act to add Section 1256 to the Water Code, relative to appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.30 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—25.

**NOES**—None.

**Motion to Reconsider**

Senator Brown moved to reconsider the vote whereby Senate Bill No. 262 was passed.

**Postponement of Reconsideration**

On motion of Senator Brown, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 262 was passed, was continued until the next legislative day.

**Senate Bill No. 498**—An act to amend Section 404 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Hatfield Presiding**

At 3.40 p.m., Senator George J. Hatfield, vice chairman of the Committee on Rules, presiding.

**Senate Bill No. 746**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 797**—An act to amend Section 1204 of the Fish and Game Code, relating to the issuance of licenses to feed migratory game birds.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 541**—An act to amend Section 1159 of the Fish and Game Code, relating to birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, and Williams—26.

NOES—None.

#### Motion to Amend Title

Senator Williams moved the adoption of the following amendment to the title of the printed bill:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "birds", and insert "cooperative hunting areas".

Amendment read, and adopted.

Senate Bill No. 541 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 125**—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 1½, and declaring the urgency thereof.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 3.50 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 798**—An act to add Section 34.5 to the Fish and Game Code, relating to predatory birds and mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 502**—An act to amend Sections 407, 1201.5, and 1280 of the Fish and Game Code, relating to licenses, deer tags and pheasant tags.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Grunsky, Hatfield, Hoffman, Hulse, McBride, McCarthy, Murdy, Powers, Regan, Way, Weybret, and Williams—22.

NOES—Senators Donnelly, Erhart, Montgomery, Parkman, Sutton, Tenney, and Thompson—7.

MOTION TO RECONSIDER

Senator Sutton moved to reconsider the vote whereby Senate Bill No. 502 was passed.

Postponement of Reconsideration

On motion of Senator Sutton, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 502 was passed, was continued until the next legislative day.

**Senate Bill No. 105**—An act to amend Sections 75, 76, and 83 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), to amend Sections 302 and 303, and repeal Section 314 of the Unemployment Insurance Code, relating to administration of unemployment and disability compensation.

Bill read third time, and presented by Senator Powers.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 111**—An act to add Section 19439 to the Business and Professions Code, relating to the regulation of horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 124**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 131**—An act to amend and renumber Section 1062.5 of the Government Code, relating to out-of-state travel by state officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 167**—An act to amend Section 6 of Chapter 771 of the Statutes of 1937 and to amend Section 75105 of the Government Code, relating to the investment of Judges' Retirement Fund money.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 191**—An act to amend Section 17050 of the Government Code, relating to revolving funds.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 277**—An act to amend Section 13943.5 of the Government Code, relating to the collection of taxes, licenses, fees or other money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 279**—An act to transfer funds to the San Francisco Harbor Improvement Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 280**—An act to repeal Section 9 of the Construction and Employment Act, relating to money made available for the administration of said act, and to provide for the disposition of the unexpended portion of said money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 282**—An act to amend Chapter 145 of the Statutes of the 1946 (First Extraordinary) Session, relating to a program of construction, improvement and equipment for state agencies, by repealing Section 8 thereof which authorizes the expenditure of certain funds for administration of the act, and to provide for the disposition of the unexpended portion of such funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 285**—An act to amend Section 11010 of the Government Code, relating to services by one state agency for another.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

**Motion to Amend Title**

Senator Hulse moved the adoption of the following amendment:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "services by one state agency for another", and insert "repayment for services by state agencies".

Amendment read, and adopted.

Senate Bill No. 285 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 287**—An act to amend Section 3 of Chapter 12 of the Statutes of 1951, relating to disposition of rentals from the Department of Motor Vehicles Building.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 290**—An act to repeal Sections 13163, 13165, 13166, and 13167 of, and to amend Section 13164 of, the Government Code, relating to the Service Revolving Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 435**—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from such sale or exchange.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 597**—An act to amend Section 16403 of the Government Code, relating to revolving funds.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 4.45 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 703**—An act authorizing the Director of Finance to quitclaim the interest of the State of California in and to a pipeline and easement in Napa County.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 821**—An act to amend Section 16475 of the Government Code, relating to interest earned on the Capital Surplus Money Investment Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1350**—An act to amend Section 16304 of the Government Code, relating to the reversion of appropriations.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Breed Presiding**

At 4.50 p.m., Senator Arthur H. Breed, Jr., of the Sixteenth District, presiding.

**Senate Concurrent Resolution No. 37**—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 1635**—An act to amend Section 14256 of the Government Code, relating to public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 104**—An act to amend Sections 13140 and 13144 of the Government Code, relating to refunds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 187**—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 70, 71, 73, 74, 76, and 77 of, and to add Section 78 to, the Agricultural Code, relating to agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 288**—An act to amend Section 18859 of the Government Code, relating to compensation of civil service employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 933**—An act to amend Section 16301 of the Government Code, relating to disposition of moneys received by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 5.05 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 957

Senator McBride moved that Senate Bill No. 957 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 957**—An act to amend Civil Code Section 2261 by adding a new subdivision therefor relating to the power of a court to authorize the trustee to change the form of a trust investment or asset constituting an undivided interest in real or personal property by partitioning the same pursuant to agreement with the other co-owners or by court action, and relating to the power of the court to confirm the action of the trustee in effecting such partition by agreement or by court action.

Bill read second time.

#### Motion to Amend

Senator McBride moved the adoption of the following amendments:

#### Amendment No. 1

Strike out lines 1 to 8, inclusive, of the title of the printed bill, and insert "An act to add Section 2271 to the Civil Code, relating to the partition of trust assets."

#### Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2271 is added to the Civil Code, to read:

2271. In the absence of express provisions to the contrary in the trust instrument, where undivided interests in real or personal property are held in trust, the appropriate court if it deems it in the best interests or interest of the trust may authorize the trustee, by agreement with the other co-owners or by action for partition, to partition said property by physical division or by sale and division of the proceeds; or the appropriate court may ratify and confirm the action of the trustee in effecting such partition by such agreement or by court action."

#### Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive, and on page 2, strike out lines 1 to 49, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Joint Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 42

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

## REPORTS OF STANDING COMMITTEES

## Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 683

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 681

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 521

Senate Bill No. 1561

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 385

Senate Bill No. 389

Senate Bill No. 386

Senate Bill No. 390

Senate Bill No. 387

Senate Bill No. 391

Senate Bill No. 388

Senate Bill No. 682

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Senators Cunningham, Dilworth, Brown, Hulse, Powers, Burns, and Parkman:

## Senate Resolution No. 74

Relative to Freedoms Foundation medal awarded Lester Healey

WHEREAS, The Freedoms Foundation of Valley Forge has awarded an honor medal to Lester Healey of Rialto, California, in recognition of an editorial of his entitled "The Aladdin's Lamp of America" which appeared in the *Los Angeles Times* on June 23, 1952, and

WHEREAS, "The Aladdin's Lamp of America" is a most succinct, accurate and inspiring appraisal of American ideals and possibilities, and sets forth in clear and understandable terms the dangers confronting this country in a departure from the sound and rugged ideals of those who started our native land on its way to greatness, and

WHEREAS, "The Aladdin's Lamp of America" from the first sentence to the last sets forth truths we will do well to remember, many of which are worthy to rank with the most profound statements of our greatest statesmen. Among others worthy to be engrossed upon the scroll of memory, let us note the following:

"The world is filled with people today who believe that life can be made secure, protected against the forces that jeopardize well-being and happiness from the cradle to the grave. We talk in terms of social security, health security, security from want and fear, but history will repeat her lesson. There is no way of making life secure. The only security worth having is spiritual security, the security of self, the security that comes from one's loyalty to the best he knows. There will never be money enough, health enough, brains enough, happiness enough to make it possible for all men to have an equal amount. The wealthy are still heirs to sickness and worry, the price of sin and cost of living. No man and no government can guarantee security to any of us." and

WHEREAS, Mr. Healey in this inspired editorial saw fit to quote from the Great Emancipator, Abraham Lincoln, words which are all too little known and which may appropriately be quoted here. These words come from President Lincoln's message to Congress in 1861 in which he said:

"The prudent, penniless beginner in the world labors for wages a while, saves a surplus with which to buy tools or land for himself, then labors on his own account another while and at length hires another new beginner to help him. This is the just and generous and prosperous system, which opens the way to all, gives hope to all and consequent energy and progress and improvement of conditions to all." and

WHEREAS, There has never been a time in the history of the United States of America when the people of this country were so in need of inspired leadership, coupled with a saving grace of common sense than they are at the present time; now, therefore, be it

*Resolved*, By the Senate of the State of California, that it commends the Freedoms Foundation of Valley Forge for its wisdom in awarding the honor which it has accorded to Lester Healey, and commend him for his courageous and forthright statement; and be it further

*Resolved*, That the Secretary of the Senate be and he is hereby directed to forward a suitably engrossed copy of this resolution to Lester Healey.

Resolution read, and on a motion of Senator Cunningham, adopted.

By Senator Ward:

## Senate Resolution No. 75

Relating to the Continuance of the Senate Interim Committee on Workmen's Compensation Benefits

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Workmen's Compensation Benefits created by Senate Resolution No. 189 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution, together with the sum of four thousand five hundred dollars (\$4,500) from the Contingent Fund of the Senate, is hereby made available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

By Senator Dilworth:

**Senate Resolution No. 76**

Relative to the continuance of the Senate Interim Committee  
on Petitions and Complaints

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Petitions and Complaints created by Senate Resolution No. 29 of the 1952 Second Extraordinary Session is continued as a Senate committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature until April 15, 1953, with authority to file its report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

**COMMUNICATIONS**

The following communication was received and read, and ordered printed in the Journal:

CONTROLLER OF THE STATE OF CALIFORNIA  
SACRAMENTO, March 9, 1953

Mr. J. A. Beck  
Secretary of the Senate  
Senate Chambers, State Capitol  
Sacramento, California

DEAR MR. BECK: Would you please convey to the Members of the Senate the deep appreciation of the Kirkwood family for the message of sympathy expressed in Assembly Concurrent Resolution No. 42 on the passing of my mother, Edith Williams Kirkwood.

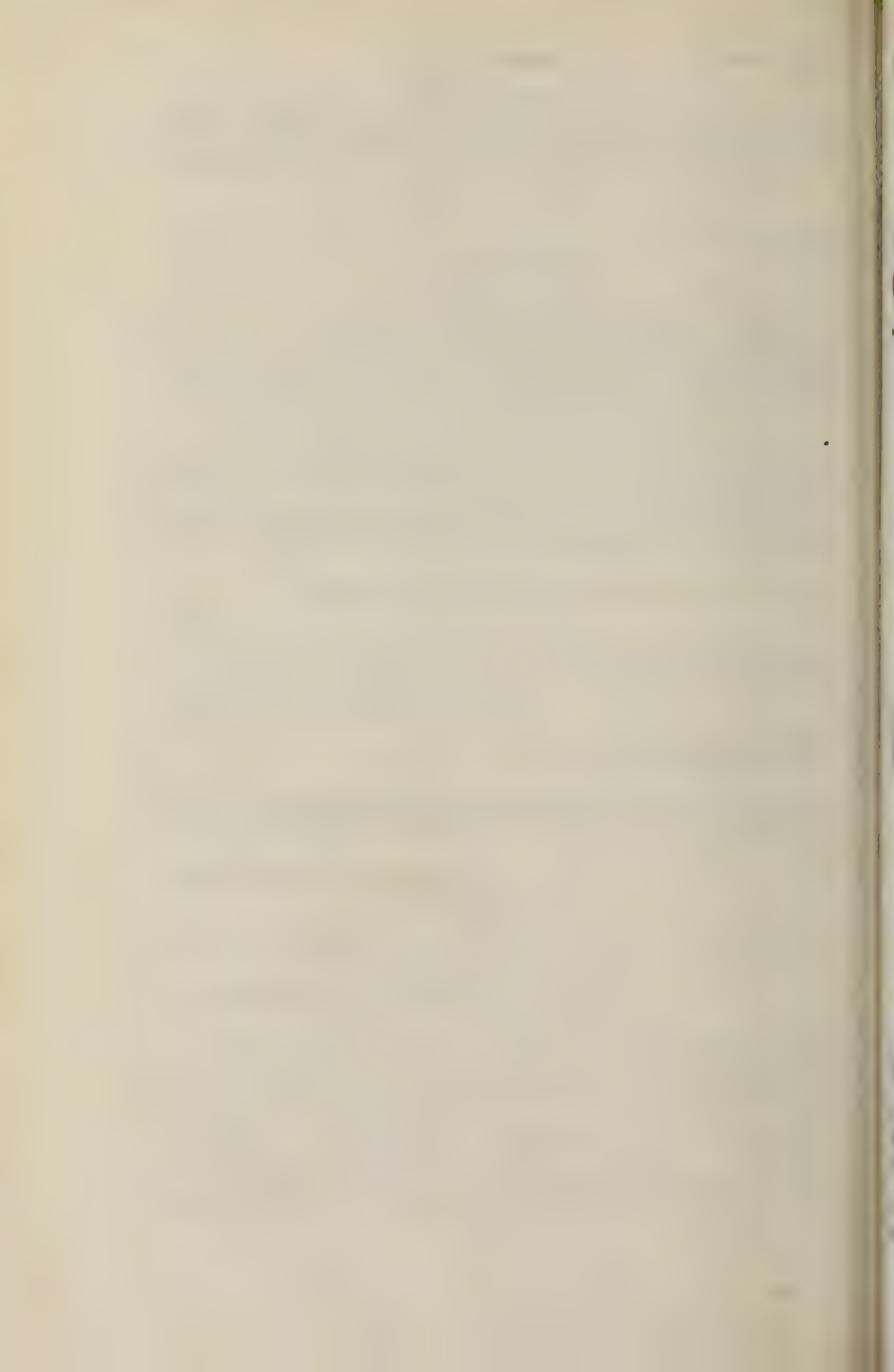
Very sincerely yours,

ROBERT C. KIRKWOOD, Controller

**ADJOURNMENT**

At 5.12 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Tuesday, March 10, 1953.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-SECOND LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, March 10, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Mayo, on motion of Senator Powers, due to illness.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Maurice E. Tice, Marshall of the Bakersfield Municipal Court, Bakersfield.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Winifred Waddell, Mrs. Sara Shorwalter, Walter Miller, and Mrs. Grace Pence of Palo Alto; and Mrs. Marion Mansfield of Sacramento.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George W. Johns, secretary of the San Francisco Labor Council.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Castner and Mr. Costas, teachers, and the following students of the Bohannon School; and Miss Pace and Mr. Porter, teachers, and the following students of the Washington Manor School: David Davis, Kendall Johnson, Lanny Sailors, Bob Garrigan, Charles Falvey, Larry Sordow, John Colemon, Bill Lawless, Gene Barnes, Rita Coffee, Dawn Parke, Gail Bastow, Nancy Fisher, John Miller, Ernie DeVaughn, Tom Mulsow, Norma Miroglio, Ann Jacobs, Jean Newberry, Marilyn Mair, Corina Abeyta, Joan Johnson, Laura Simon, Darleen Pratt, Joy DeWitt, JoAnn Bertuliet, Tom Berry, Lynn Doone, and Vivian Stroley; Richard Ardron, Roy Bennett, Francis Cole, Jerry Cline, Donald Havercroft, Arthur Haegly, Nobauki Kitani, Jack Kincaid, Jerry Lewis, Robert Murphy, Thomas Sissung, Robert Sproge, James Shaw, Eric Vinson, Charles Ward, Jerry Hitchcock, Ralph Mousseau, Joan Ashlock, Mary Lou Beard, Nora Bragg, Linda Crawford, Barbara Crothers, Linda Fraser, Leona Haskins, Jo Ann Hoff, Lorene McMahon, Sylvia Melin, Loretta Mullen, Marta Mulvaney, Judy Nichols, Donna Oliver, Shirley Loustau, Judy Singleton, Gwen Thielvoldt, Joan Valente, Jean Vanecek, and Jeanette Hartquist.

On request of Senators Abshire and Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. R. Empanan of Sacramento.

On request of Senators Hatfield and Burns, the privilege of the floor of the Senate for this day was unanimously extended to Pat Nollet of Merced and Waldo Fortier of Fresno.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William S. Joslin, USN, of Inyo.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Etelle S. Carlson, staff member and the following graduate and undergraduate students from the University of California representing more than 24 countries: Francois Junod, South Africa; Pradian Petcharak, Thailand; K. Bahjat, Iraq; Magdalena Cohen, Netherlands; Terttu Puhakka, Finland; Ala-uddin Aljubouri, Iraq; Esther Goossen, Canada; Kirsti Laipio, Finland; Rafael Pagan, Puerto Rico; Benigno Aldana, Philippines; Harry Schachter, Canada; Boris Bylinkin, Russia; Herman Ermolaev, Russia; John Attridge, England; Anthony Bell, England; Mohamed Al-Masha, Iraq; Basil Hoare, England; S. H. Poerwo, Indonesia; Torben Palsbo, Denmark; Kahlan Atassi, Syria; Anne Gotaas, Norway; Noboru Tsuchiya, Japan; Muhammad Chaudry, Pakistan; Motoo Nemoto, Japan; Elias S. Cohen, Iraq; Abdul Atayee, Afghanistan; Anita Milne, England; Alan Milne, England; Samuel Kam, China; Akiko Mori, Japan; Thelma Cordeiro, Brazil; Arthur Marks, England; Rebecca deLeon Jacobe, Philippines; Gerd Wetterlind, Sweden; Elizabeth Park, Canada; John J. Eno, Nigeria; Chung Foo Han, China; Rosaline Levenson, U. S. A., and John Abbott, England.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Homer York of Los Angeles and Milton H. Silverberg of Long Beach.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Floyd A. Wilson and Mrs. Catherine Grover of Bellflower; Mr. and Mrs. Riley Marquis of Pico; Mrs. Mercedes Evangelista Gamatero of Manila, P. I., and Mr. and Mrs. Eddie D. Wasan of San Francisco.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Parmelee, Ken Ball, and Mr. and Mrs. Arthur Magee of San Anselmo; Judge and Mrs. Raymond Shone of San Rafael.

On request of Senators Desmond and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alice Bailey, leader, Mrs. Claude Youngs, Mrs. Lewis Avery, parents, and the following members of Girl Scout Troop No. 177: Iris Anderson, Barbara Ballenger, JoAnne Beltrand, Sharon Blurton, Lynn Brill, Joan Edwards, Christine Erwin, Janice Harper, Tennie Hinton, Carol Moody, Roselyn Olsen, Jeanne Smith, Shirley Jay Webb, Penny Williams, and Maxine Youngs.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jack Swimmer, nationally famous mental wizard of Los Angeles and Herman Karp of Los Angeles.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Mary Tharp and Mr. Philip Gregory of San Francisco.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton I. Griese, senior advisor, George Goodman, board member, and the following students of the Senior Class, Emery High School, Emeryville: Juliet Adoa, Melchora Alarcon, Don Ashbrook, Bill Bethell, Barbara Byers, Violet Chinn, Doug Eddins, Rita Ewing, Consuela Galvan, Lorraine Hendricks, Lloyd Illier, William Jarrel, Gloria Mattos, Fred Martinez, Curtis Minor, Rose Montoya, Naomi Nutter, John Notti, Theresa Ramirez, Isabel Ramos, Jerry Riggsbee, Gail Ripley, Benjamin Sanchez, Marilyn Valencia, Lorraine Welch, and Pat Wells.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Barnes and Mrs. James Mosher of Walnut Grove.

### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

CALIFORNIA STATE COMMUNICATIONS ADVISORY BOARD  
SACRAMENTO 14, March 6, 1953

*Mr. Joseph Beck, Secretary  
California State Senate  
Sacramento, California*

DEAR MR. BECK: The attached resolution was unanimously passed by the California State Communications Advisory Board at a regular meeting held in Sacramento on February 17, last.

As chairman of the board I was instructed to forward to you a certified copy of the board's action.

Very truly yours,

JAMES S. DEAN  
Director of Finance



# CALIFORNIA STATE COMMUNICATIONS ADVISORY BOARD

## RESOLUTION

WHEREAS, The State Legislature has before it, for consideration, Senate Concurrent Resolution No. 16 and Senate Joint Resolution No. 5, both of which relate to preserving, improving and coordinating the communication facilities of the State; and

WHEREAS, This board has, since its inception in 1947, constantly worked in cooperation with the Department of Finance and other state agencies and with political subdivisions to provide adequate communications facilities to state and local government at the least possible cost; and

WHEREAS, Senate Concurrent Resolution No. 16 requests the Department of Finance, through its Division of Communications, to "make a complete survey of the feasibility of utilization of a microwave system of communications for state agencies, including an estimate of the cost of the establishment of such a system"; and

WHEREAS, Upon the recommendation of this board and in cooperation with local government, the State has installed and for the past several months has operated an experimental microwave radio link between the San Francisco Bay Area and Sacramento, which operation has conclusively proven the feasibility of the use of such publicly owned microwave radio facilities and has demonstrated its economy of operation; and

WHEREAS, The successful and economical use of microwave radio facilities by public and private utilities, as well as large private corporations, is common knowledge among communications experts throughout the Country; and

WHEREAS, This board believes that such a survey would be a forward-looking step in the public interest and would result in increased efficiency and economy in the use of existing communications facilities; and

WHEREAS, The board further believes that such a survey would solve many existing communications problems which are now experienced by state and local agencies, due to the long distances and wide variance in terminal needs which are particularly present in California, and would result in the establishment of a long-range plan of coordination of publicly owned communications facilities on a state-wide basis; now, therefore, be it

*Resolved*, That the State Communications Advisory Board earnestly endorses Senate Concurrent Resolution No. 16 and Senate Joint Resolution No. 5 as being commendable proposals in the interest of efficiency and economy in government, and holds itself in readiness to assist the Legislature, the Department of Finance and other agencies of government in the development of adequate and efficient communications facilities at the least possible expenditure of public funds.

JAMES S. DEAN, Director of Finance, Chairman  
By A. EARL WASHBURN, Deputy Director

I hereby certify that the above resolution was passed at a meeting of the California State Communications Advisory Board held in Sacramento, California, on February 17, 1953.

BURTON WASHBURN, Secretary

WAR CLAIMS COMMISSION  
WASHINGTON 25, D. C., March 3, 1953

### *To Members of State Legislatures*

In past years the War Claims Commission has had the privilege of writing to Members of the Legislatures with respect to the deadlines for filing claims under the War Claims Act of 1948 (80th Congress), as amended.

Public Law 303, 82nd Congress, 2nd Session, approved April 9, 1952, provided a compensation of \$1.50 a day for each day an American prisoner of war was subjected to inhumane treatment and/or forced labor in contravention to the Geneva Convention of 1929 Respecting the Treatment of Prisoners of War. Survivors of such veterans, namely widows, children and parents, in that order, are also eligible under this law. The deadline for filing is April 9, 1953, and regardless of eligibility, claimants must file with the War Claims Commission on or before that date. This compensation is in addition to and on a different basis from the \$1.00 per day compensation for food deficiency and hence must be specifically claimed.

The Commission is exceedingly desirous that all eligible veterans or their survivors who have not yet filed under Public Law 303 do so promptly. Being a small quasi-judicial independent agency with a limited staff, the Commission necessarily must seek the cooperation of others in making the deadline known as widely as possible to veterans or their survivors in your State. Claims forms for filing may be obtained from the War Claims Commission, Washington 25, D. C., State Veterans Agencies, Regional Offices of the Veterans Administration, the American Red Cross, and recognized veterans organizations.



Anything that you as a Member of your Legislature can undertake to do to make the approaching deadline known to the people in your State will be appreciated by American ex-prisoners of war and their families, as well as by the War Claims Commission.

With best wishes, I remain

Sincerely yours,

F. BYRNE AUSTIN  
Executive Director

#### CONSIDERATION OF DAILY FILE MOTIONS TO RECONSIDER

**Senate Bill No. 761**—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles on the highways.

##### Motion to Reconsider Senate Bill No. 761

Pursuant to his motion previously made, Senator Ward moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 761 was passed.

The roll was called, and Senate Bill No. 761 reconsidered by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

##### Motion to Refer Bill to Inactive File

Senator Ward moved that Senate Bill No. 761 be placed on the inactive file.

Motion carried.

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

##### Motion to Reconsider Senate Bill No. 262

Pursuant to his motion previously made, Senator Brown moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 262 was passed.

The roll was called, and Senate Bill No. 262 reconsidered by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—35.

NOES—None.

Senate Bill 262 ordered placed on third reading file.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 209**—An act to amend Section 226 of the Labor Code, relating to wage deduction statements.

Bill read third time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in Senate March 3, 1953, after "item.", strike out "The", and insert "Wilful".

**Amendment No. 2**

On page 1, lines 10 and 11, of said bill, as amended, strike out "after an order to do so issued by the Labor Commissioner".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 684**—An act to amend Sections 1180, 1181, and 1184 of the Civil Code, and Section 179 of the Code of Civil Procedure, relating to officers who may take proof or acknowledgment of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Motion to Retain Place on File**

Senator Donnelly moved Senate Bill No. 888 be passed on file, and retain its place on file.

Motion carried.

**Senate Bill No. 314**—An act to amend Section 13001.2 of the Education Code, authorizing the employment of persons requiring certification qualifications and the payment of compensation to such person, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

**Motion to Refer Bill to Inactive File**

Senator Abshire moved that Senate Bill No. 762 be placed on the inactive file.

Motion carried.

**Senate Bill No. 147**—An act to amend Section 20607.5 of, and to add Section 60607.6 to, the Government Code, relating to retirement of firemen.

Bill read third time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 20607.5 of, and to add Section 60607.6 to," and insert "add Sections 20607.6, 20952.6, and 21252.6 to".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 27, inclusive; and on page 2, strike out line 1, and insert

"SECTION 1. Section 20607.6 is added to the Government Code, to read:".

**Amendment No. 3**

On page 2 of said bill, strike out line 18, and insert "and of Sections 20952.6 and 21252.6 by amendment to its contract made in the manner prescribed".

**Amendment No. 4**

On page 2 of said bill, after line 26, insert

"SEC. 2. Section 20952.6 is added to said code, to read:

20952.6. A local safety member who is a fireman shall be retired for service upon his written application to the board if he has attained age 50, and is entitled to be credited with 20 years of continuous state service.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section and of Sections 20607.6 and 21252.6 by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

Whenever this section becomes applicable to the employees of any contracting agency, as to those members to whom it applies it shall supersede the provisions of Section 20952.

SEC. 3. Section 21252.6 is added to said code, to read:

21252.6. The current service pension for local safety members who are firemen is a pension derived from the contributions of the employer, which, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, shall equal the same percentage of his final compensation, regardless of his age at retirement, for each year of fire service, as the contributions of the member and the employer are calculated to provide upon retirement for service at age 50, or upon completion of 20 years of service at an age higher than 50, or upon retirement with less than 20 years service at age 65, for each year of fire service after the effective date of the contract under which he became a member.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section and of Sections 20607.6 and 20952.6 by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

Whenever this section becomes applicable to the employees of any contracting agency, as to those members to whom it applies it shall supersede the provisions of Section 21252.4."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 145**—An act to amend Section 14401 of the Health and Safety Code, relating to county fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1624**—An act to amend Section 1.25 of Chapter 390 of the Statutes of 1909, relating to the use and transfer of certain lands granted to the City of Oakland.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 503**—An act to amend Section 1342 of the Fish and Game Code, relating to mammals.

Bill read third time.

#### Motion to Amend

Senator Williams moved the adoption of the following amendment :

#### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "transported or".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 635**—An act adding Sections 30.5 and 30.6 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations, and declaring the urgency thereof, to take effect immediately," declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Harold T. Johnson.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Sutton, Tenney, Ward, Way, Weybret, and Williams—29.

**NOES**—None.



The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Sutton, Tenney, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 636**—An act adding Sections 24.5 and 24.6 to the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Tenney, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1014**—An act to amend Section 420 of the Government Code, relating to the State Flag.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1018**—An act to amend Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1632**—An act to amend Sections 2 and 3 of Chapter 1071 of the Statutes of 1947, the California State Communications Act, and Sections 15275 and 15279 of the Government Code, relating to the California State Communications Advisory Board.

Bill read third time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in Senate March 6, 1953, strike out "-----".

**Amendment No. 2**

On page 2, line 2, of said bill, as amended, strike out "two", and insert "one".

**Amendment No. 3**

On page 2 of said bill, as amended, strike out line 14, and insert "(a) The Director of Public Works."

**Amendment No. 4**

On page 2, line 31, of said bill, as amended, strike out "two", and insert "one".

**Amendment No. 5**

On page 2, line 43, of said bill, as amended, strike out ", and that the member appointed as suc-", and strike out lines 44 and 45, and insert a period.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 330**—An act to add Section 9130.5 to the Government Code, relating to claims against the contingent funds of the Assembly and Senate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.13 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 696**—An act to add Section 19622.7 to the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Way, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 254**—An act to amend Section 8358 of the Revenue and Taxation Code, relating to aircraft fuel taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Thompson, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Busch Presiding**

At 3.17 p.m., Senator Burt W. Busch of the Fourth District, presiding.

**Senate Bill No. 1085**—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Thompson, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 700**—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 701**—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1295**—An act to repeal Chapter 388 of the Statutes of 1933, relating to horticultural development districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Way, and Weybret—26.

NOES—Senator Sutton—1.

Bill ordered transmitted to the Assembly.

**Senator Miller Presiding**

At 3.20 p.m., Senator Miller of the Seventeenth District, presiding.

**Senate Bill No. 49**—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards. Declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1218**—An act to amend Section 2780.1 of the Penal Code, relating to the prison work camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1776**—An act to amend Sections 3331 and 3332 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1777**—An act to repeal Section 3330 of the Welfare and Institutions Code, relating to revolving funds of state institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 34**—Relative to delivery of electric power from Central Valley Project facilities.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, McBride, McCarthy, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—Senators Harold T. Johnson, Miller, Montgomery, and O'Gara—4.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 1132**—An act to amend Section 6359 of the Revenue and Taxation Code, relating to the exemption of food products from sales and use taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Tenney, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

## SECOND READING OF SENATE BILLS

**Senate Concurrent Resolution No. 24**—Relative to acquisition of Central Valley Project.

Resolution read.

### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

#### Amendment No. 1

On page 2, line 1, of the printed bill, strike out "matter", and insert "manner".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 1645**—An act to amend Sections 58950 and 58980 of the Government Code, relating to dissolution of districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 752**—An act to add Section 22655 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 753**—An act to add Section 22078 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 75**—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

#### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in Senate March 3, 1953, after "barrier", insert "or barriers, and other related public works".

**Amendment No. 2**

On page 1, line 7, of said bill, as amended, strike out "the north portion of".

**Amendment No. 3**

On page 1, line 10, of said bill, as amended, strike out "and domestic uses.", and insert "domestic uses, and related purposes. In addition to the above appropriation, the sum of two hundred fifty thousand dollars (\$250,000) in the Flood Control Fund of 1946 is hereby allocated for expenditure by the Division of Water Resources for the purpose mentioned in this section, but the money so allocated may not be expended until the Legislature expressly appropriates said money for such purpose."

**Amendment No. 4**

On page 1, line 8, of said bill, as amended, after the word "for", insert "reclamation, for".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1320**—An act to add Section 14034.1 to the Government Code, relating to the Water Resources Revolving Fund and making an appropriation to the Water Resources Revolving Fund for providing working capital.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1 of the printed bill, strike out the title, and insert "An act to amend Section 14034 of the Government Code, relating to the Water Resources Revolving Fund."

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 14034 of the Government Code is amended to read:

14034. The Water Resources Revolving Fund in the State Treasury is continued in existence. The Water Resources Revolving Fund is the successor to the Water Resources Fund. With the approval of the Department of Finance, there shall be transferred to, or deposited in, the fund all money appropriated, contributed, or made available from any source, including sources other than state appropriations, for expenditure on work within the powers and duties of the Division of Water Resources or of the Department of Public Works, acting through the State Engineer, including but not limited to services, new construction, major construction and equipment, minor construction, maintenance, improvements and equipment, hydraulic or other improvement projects, investigations, surveys, experiments, and reports, as authorized by the state agency for which such an appropriation is made or, as to funds from sources other than state appropriations, as may be authorized by written agreement between the contributor or contributors of such funds and the Division of Water Resources or the Department of Public Works, acting through the State Engineer, when approved by the Department of Finance.

Money so transferred or deposited is available for expenditure by the Division of Water Resources or the Department of Public Works, acting through the State Engineer, for the purposes for which appropriated, contributed, or made available, without regard to fiscal years and irrespective of the provisions of Section 16304. *The Division of Water Resources or the Department of Public Works, acting through the State Engineer, may withdraw from the fund for use in work for other public agencies, local, state or federal, such sums as may be necessary for such work where the money to be paid by such other agencies is not deposited in said fund in advance of the work being done.*

No money in such fund which is derived from an appropriation from the General Fund shall be used to pay the charges imposed by Sections 18750, 11044 or 20752 of the Government Code or the charges imposed pursuant to Articles 2 or 3 of Chapter 3, Part 1, Division 3, Title 2 of said code."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 683**—An act to amend Section 1953i of the Code of Civil Procedure, relating to uniform photographic copies of business and public records as evidence.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "satisfactory", and insert "satisfactorily".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 681**—An act to amend Section 360.5 of the Code of Civil Procedure, relating to waivers of the statute of limitations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 17, of the printed bill, after the last period, insert "The provisions of this section shall not be applicable to any acknowledgment, promise or any form of waiver which is in writing and signed by the person obligated and given to any county to secure repayment of indigent aid or the repayment of moneys fraudulently or illegally obtained from the county."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 521**—An act to amend Section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1561**—An act to amend Section 1088 of the Penal Code, relating to peremptory challenges to jurors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 385**—An act to amend Section 1080 of the Probate Code, relating to the distribution of estates.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 386**—An act to add Sections 1132, 1133, 1134, 1135, and 1136 to the Probate Code, relating to trusts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 387**—An act to repeal Article 1 and Article 2 of Chapter 16 of Division 3 of the Probate Code and to add a new Article 1 to Chapter 16 of Division 3 thereof, relating to preliminary distribution of estates.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 388**—An act to amend Sections 360, 361, and 362 of the Probate Code, relating to the probating of foreign wills.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 389**—An act to repeal Section 754.5 of, and to add Section 754.5 of the Probate Code, relating to the sale of estate property.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 390**—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 391**—An act to amend Section 647 of the Code of Civil Procedure, relating to matters deemed excepted to.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 682**—An act to amend Section 3440.1 of the Civil Code, relating to the transfer, sale or assignment of stock in trade, in bulk.

Bill read second time, ordered engrossed, and to third reading.

#### LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON A  
STATE-WIDE SYSTEM OF PARKS

March 10, 1952

*Hon. Goodwin J. Knight, President  
and Members of the Senate*

GENTLEMEN: The Senate Interim Committee on a State Wide System of Parks submits its report of findings and recommendations pursuant to the provisions of Senate Resolution No. 186 of the 1951 General Session.

Respectfully submitted,

LOUIS G. SUTTON, Chairman  
A. A. ERHART  
H. E. DILLINGER

#### MOTION TO PRINT REPORT

Senator Sutton moved that the letter of transmittal be printed in the Journal, and the report submitted by the Senate Interim Committee on a State-Wide System of Parks be printed in the Appendix, and 1,500 additional copies be printed.

Motion carried.

#### MOTION TO REQUEST ASSEMBLY TO RETURN SENATE BILL NO. 658

Senator Desmond moved that the Assembly be requested to return Senate Bill No. 658 to the Senate for further consideration.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 316

Senator Cunningham moved that Senate Bill No. 316 be withdrawn from Committee on Education for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 316**—An act to amend Section 7717 of the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.



**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 18153 to,".

**Amendment No. 2**

On page 2, between lines 32 and 33, insert

"SEC. 2. Section 18153 is added to said code, to read:

18153. The governing board of any school district may purchase property and construct and equip buildings in an area after the legal action has been taken that will result in annexation of the area to the school district, but before the annexation has become effective."

**Amendment No. 3**

On page 2, line 33, strike out "SEC. 2", and insert

"SEC. 3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 301**

Senator Desmond moved that Senate Bill No. 301 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 301**—An act to amend Section 736.12 of the Agricultural Code, relating to the determination of minimum prices in marketing areas.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 10, 11, and 12, and insert "spectively, including all costs of hauling, processing, selling".

**Amendment No. 2**

On page 2 of said bill, between lines 32 and 33, insert "In determining the cost of handling and distributing fluid milk or fluid cream, or both, by distributors in sales to other distributors, other than in bulk, the director shall take into consideration, in addition to the costs of handling specified in this section incurred by distributors in sales to retail stores, variations in costs arising from differences in the type and construction of containers in which fluid milk or fluid cream, or both, is sold by distributors to other distributors. The minimum wholesale prices established to be paid by such subdistributors for milk sold in one type or construction of container may vary from minimum wholesale prices established to be paid by such distributors for milk sold in other types or construction of containers if the director reasonably determines that the factor and costs involved in such sales using a particular type or construction of container require that these prices vary from any of the minimum wholesale prices referred to in this subsection."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1106**

Senator Brown moved that Senate Bill No. 1106 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1106**—An act to amend Sections 35119 and 35121 of the Government Code, relating to cities.

Bill read second time.

## Motion to Amend

Senator Brown moved the adoption of the following amendment:

## Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"Sec. 3. Sec. 35122 of the Government Code is amended to read:

*If it finds that protest is not made by owners of a majority of the separate parcels of property, or by the owners of real property within the territory, the assessed value of which as shown by the last equalized assessment roll constitutes more than one-half of the total assessed value of the real property within the territory to be annexed, the city legislative body shall call a special election without delay and submit to the electors residing in the territory the question whether it shall be annexed to and incorporated within the city."*

Amendment read, and adopted.

Bill ordered printed, and re-referred to committee.

## Request for Unanimous Consent

Senator Williams asked for, and was granted, unanimous consent to take up Senate Bill No. 262, at this time, for the purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 262

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

Bill read third time.

## Motion to Amend

Senator Williams moved the adoption of the following amendment:

## Amendment No. 1

On page 1, line 14, of the printed bill, after "feral mammal", insert "except any wild, feral, or undomesticated burro".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 91

Senator Murdy moved that Senate Bill No. 91 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 91**—An act to amend Sections 1 and 2 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read second time.

## Motion to Amend

Senator Murdy moved the adoption of the following amendment:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "1 and 2 of", and insert "2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 41, 44, 45, 48, 50, 51, 64, 68,

69, and 74 OF, TO ADD SECTIONS 1, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, AND 36 TO, AND TO REPEAL SECTIONS 1, 1.1, 1.2, 1.3, 1.4, 1.5, 8, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, AND 70 OF."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, between the enacting clause and line 1, insert

"SECTION 1. Section 1 of the act cited in the title hereof is repealed.

SEC. 2. Section 1 is added to said act, to read:

Section 1. A district is hereby created to be known and designated as "Orange County Water District," located entirely within Orange County, California, including and comprising all of the land within the exterior boundaries of said district, which said boundaries are described as follows:

Beginning at the intersection of the boundary line between Los Angeles and Orange Counties, as officially established by the California Legislature in 1919, see Chapter 470 of the 1919 Statutes and amendments to the codes, or Sections 3927 and 3938 of the Political Code as enacted in 1919, with the high-tide line of the Pacific Ocean; thence northerly along said boundary line the following courses and distances: north 33° 00' 00" east to Station 1. (Los Angeles-Orange County); thence north 57° 16' 40" east 8238.78 feet; thence north 2° 48' 35" west 2207.94 feet; thence north 16° 46' 45" west 1444.82 feet; thence north 27° 12' 00" west 2106.10 feet; thence north 31° 22' 50" west 1296.25 feet; thence north 27° 55' 55" east 8375.40 feet; thence north 11° 36' 55" east 2241.41 feet; thence north 39° 48' 20" east 5650.97 feet; thence north 59° 07' 40" east 3391.48 feet; thence north 0° 11' 50" west 4339.76 feet; thence north 44° 34' 00" east 1873.54 feet; thence north 0° 11' 10" west 3996.39 feet; thence north 89° 37' 10" east 1320.92 feet; thence north 0° 23' 25" west 1318.92 feet; thence north 89° 34' 55" east 1320.00 feet; thence north 0° 25' 25" west 1341.64 feet; thence north 89° 21' 35" east 1393.75 feet; thence north 0° 47' 15" west 1850.84 feet to the southeast corner of Section 32, Township 3 South, Range 11 West, San Bernardino Base and Meridian; thence leaving said boundary easterly four miles along the township line to the southwest corner of Section 31, Township 3 South, Range 10 West, S. B. B. & M.; thence northerly one-half mile to the west quarter section corner of said Section 31; thence following the boundary of the City of Fullerton, as said boundary line existed on March 6, 1953, westerly one-fourth mile to the southwest corner of the southeast quarter of the northeast quarter of Section 36, Township 3 South, Range 11 West, S. B. B. & M.; thence northerly one-fourth mile to the southwest corner of the southeast quarter of the northeast quarter of said Section 36; thence westerly along the boundary line of the City of Fullerton to the southeast corner of the north half of the west two-thirds of the west half of the northeast quarter of said Section 36; thence northerly one-quarter mile to the northeast corner of the north half of the west two-thirds of the west half of the northeast quarter of said Section 36; thence following the boundary line of said City of Fullerton the following courses and distances: easterly to the northwest corner of Section 31, Township 3 South, Range 10 West, S. B. B. & M.; thence northerly two and one-quarter miles to the northwest corner of said boundary of the City of Fullerton; thence easterly along the north boundary line of said City of Fullerton to a point distant westerly along said north boundary line 50.84 feet from the center line of Whittier Boulevard (Highway U. S. 101); thence along the westerly line of said Whittier Boulevard north 9° 35' 55" west 1105.11 feet; thence north 80° 31' 50" east 508.30 feet to the beginning of a tangent curve concave northeasterly and having a radius of 150.00 feet; thence northeasterly along said curve a distance of 121.47 feet; thence tangent to said curve north 35° 08' 00" east 171.54 feet to the beginning of a tangent curve concave southeasterly and having a radius of 400.00 feet; thence northeasterly along said curve 117.54 feet; thence tangent to said curve north 50° 58' 10" east 9.97 feet to the beginning of a tangent curve concave southerly and having a radius of 140.00 feet; thence easterly along said curve 85.53 feet; thence tangent to said curve north 85° 58' 20" east 11.60 feet to the beginning of a tangent curve concave southerly and having a radius of 280.00 feet; thence easterly along said curve 153.12 feet; thence south 8° 33' 25" east 532.71 feet; thence south 30° 08' 35" east 122.02 feet; thence south 9° 51' 25" west 588.43 feet; thence south 9° 51' 25" west 353.13 feet; thence easterly to the northeast corner of said boundary line of the City of Fullerton; thence southerly five-eighths of a mile to the northwest corner of the south half of the southwest quarter of the northeast quarter of Section 24, Township 3 South, Range 10 West S. B. B. & M.; thence leaving said boundary line of the City of Fullerton east one-eighth mile to the southwest corner of the northwest one-quarter of the southwest one quarter of the northeast one-quarter of said Section Twenty-four (24); thence north three-eighths mile to the northwest corner of the east one-half of the northwest one-quarter of the northeast one-quarter, of said



Section twenty-four (24); thence east one-eighth mile to the northeast corner of the northwest one-quarter, of the northeast one-quarter, of said section twenty-four (24); thence south one-quarter mile to the northwest corner of the southeast one-quarter, of the northeast one-quarter, of said section twenty-four (24); thence east one-quarter mile to the southwest corner of Lot Five Tuffree's Subdivision, as recorded in Book 3, pages 1 and 2 of Miscellaneous Maps, Records of Orange County, California; thence north one-quarter mile to the northeast corner of Lot Four (4) of said Tuffree's Subdivision; thence east one-quarter mile to the northwest corner of Lot Three (3) of said Tuffree's Subdivision; thence southeasterly and northeasterly along the southerly line of that certain parcel of land described as Parcel 2 in deed recorded in Book 180, page 97 of Deeds, Records of Orange County, California, to a point in the north line of said Lot Three (3); lot lines of Tuffree's Subdivision being considered as in the center line of adjacent streets; thence east to the northeast corner of said Lot Three (3); thence northerly one-quarter mile to the northwest corner of the southwest one-quarter of the southeast one-quarter of Section Eighteen (18), Township Three (3) South, Range Nine (9) West, San Bernardino Base and Meridian; thence east one-quarter mile to the northeast corner of said southwest one-quarter of the southeast one-quarter of said Section Eighteen (18); thence south one-quarter mile to the southeast corner of said southwest one-quarter of the southeast one-quarter; thence east one-eighth mile to the southwest corner of the east one-half of the southeast one-quarter of the southeast one-quarter, of said Section Eighteen (18); thence north one-quarter mile to the northwest corner of said east one-half; thence east one-eighth mile to the northeast corner of said east one-half; thence south one-eighth mile to the northwest corner of the south one-half, of the south one-half of the south one-half of fractional Section Seventeen (17), Township Three (3) South, Range Nine (9) West, San Bernardino Base and Meridian; thence east along the north line of the said south one-half of the south one-half of the south one-half of said fractional Section Seventeen to the west line of the Rancho San Juan Cajon de Santa Ana; thence northerly along the said west rancho line to the northwest corner of Block One (1) of Yorba Linda Tract as per map recorded in Book 5, pages 17 and 18 of Miscellaneous Maps, Records of Orange County, California; thence easterly along the northerly boundary of said Yorba Linda Tract to the northeast corner of Lot One (1) in Block Two (2) of said tract; thence southerly to the southeast corner of said Lot One (1) in Block Two (2); thence westerly to the southwest corner of said Lot One (1) in Block Two (2); thence southerly to the southeast corner of Lot Two (2) in Block Two (2) of said Yorba Linda Tract; thence westerly to the southwest corner of said Lot Two (2) in Block Two (2); thence southerly to the northwest corner of Lot Three (3) of said Block Two (2); thence easterly to the northeast corner of said Lot Three (3) in Block Two (2); thence southerly along lot lines to the northwest corner of Lot Five (5) of said Block Two (2); thence easterly along the north line of said Lot Five (5) to the center line of Fifth Street, as shown on the map of Carlton recorded in Book 29, pages 9 and 10 of Miscellaneous Records of Los Angeles County, California; thence south along said center line of Fifth Street to the center line of Pacific Avenue as shown on said map of Carlton; thence east along said center line of Pacific Avenue to the center line of Fourth Street as shown on said map of Carlton; thence north along the said center line of Fourth Street to the center line of Orange Street as shown on said map of Carlton; thence east along the said center line of Orange Street to the west line of Second Street as shown on said map of Carlton; thence north along the said center line of Fourth Street to the center line of Orange Street as shown on said map of Carlton; thence east along the said center line of Orange Street to the west line of Second Street as shown on said map of Carlton; thence north along the said west line of Second Street to the center line of Walnut Street as shown on said map of Carlton; thence west along the said center line of Walnut Street to the center line of Third Street as shown on said map of Carlton; thence north along the said center line of Third Street to the center line of Chicago Avenue as shown on said map of Carlton; thence east along the said center line of Chicago Avenue to the center line of said Second Street; thence south along the said center line of Second Street to the said center line of Pacific Avenue; thence east along the said center line of Pacific Avenue to the west line of Block Six (6) of said Yorba Linda Tract; thence northerly, easterly, southerly, westerly, southerly, easterly, southerly, westerly, and southerly along the exterior boundary lines of said Yorba Linda Tract to the Southeast corner of Lot Three (3) in Block Twenty-four (24) of said Yorba Linda Tract; thence west along the south line of said Lot Three (3) to the southwest corner of said Lot Three (3); thence southerly along the westerly line of Lot Four (4) of said Block Twenty-four (24) and its southwesterly extension to the northerly corner of Lot Five (5) in Block Thirti-four (34) of said Yorba Linda Tract; thence southerly along the westerly line of said Lot Five (5) to its intersection with the center line of the Anaheim ditch, of the Anaheim Union Water Company; thence easterly along center line of said ditch to corner Number Three of allotment of first class land to Wolf Kalisher and Henry Wartenberg in partition of Rancho Canon de Santa Ana being the southwest corner of that certain 1.26 acre parcel as described in deed recorded in Book 357, page 102 of Deeds, Records of Orange County, California; thence following the westerly, northerly



and easterly line of said 1.26 acre parcel to a point in the north line of said allotment of first class land to Kalisher and Wartenberg in partition of Rancho Canon de Santa Ana; thence following said northerly line of said allotment to its intersection with southerly line of right of way of Atchison, Topcka, and Santa Fe Railway Company; thence following said southerly right of way line to its intersection with west line of the allotment of second class land to V. Yorba in partition of said Rancho Canon de Santa Ana; thence northerly, westerly and northerly along said allotment line to the center line of Anaheim Union Water Company's canal; thence easterly following center line of said canon canal to the east line of said allotment to V. Yorba; thence northerly along said east line of allotment to V. Yorba, to a point 2800 feet northerly measured along said east line from its intersection with the center line of the Atchison, Topcka, and Santa Fe Railway Company's main track; thence easterly to a point in the east line of the allotment of second class land to W. McKee in partition of said Rancho Canon de Santa Ana, said point being 2400 feet northerly measured along said east line of allotment to W. McKee, from its intersection with the center line of the Atchison, Topcka and Santa Fe Railway Company's main track; thence southerly along the said east line of allotment to W. McKee and its southerly extension to an intersection with the center line of Santa Ana Valley Irrigation Company's main canal; thence following the center line of said canal westerly to its intersection by the northerly extension of the east line of Tract 117 as per map recorded in Book 11, page 15 of Miscellaneous Maps, Records of Orange County, California; thence southerly 660 feet measured along the said easterly line to a point; thence southwesterly in a direct line to a point in the west line of Lot Twenty-two (22) of said Tract 117, said point being 500 feet southwesterly measured along said west line from the intersection of said west line of Lot Twenty-two (22) with the center line of the Santa Ana Valley Irrigation Company's main canal; thence northwesterly along said southwesterly line of Lot Twenty-two (22) to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly along said center line of canal to its intersection with the center line of the state highway known as the Santa Ana Canyon Road; thence southwesterly along center line of said highway to its intersection with the north line of Lot Twenty (20) of said Tract 117; thence along the northerly and easterly lines of Lots Twenty (20) and Nineteen (19) of said Tract 117, to the southeast corner of said Lot Nineteen (19); thence in a direct line to a point in the south line of said Tract 117, said point being 600 feet westerly measured along said south line from the southeast corner of said Tract 117 and also being in the north line of Section Six (6), Township Four (4) South, Range Eight (8) West, San Bernardino Base and Meridian; thence westerly along section line to the northwest corner of said Section Six (6); thence southerly along the west line of said Section Six (6), 1446.14 feet; thence southwesterly in a direct line to the most easterly corner of that certain 2.50 acre parcel as described in deed recorded in Book 262, page 73 of Deeds, Records of Orange County, California; thence southwesterly and northwesterly following the boundary line of said 2.50 acre parcel to the most westerly corner thereof; thence north to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly along said center line of canal to the northeast corner of that 22.78 acre parcel described in deed recorded in Book 220, page 220 of Deeds, Records of Orange County, California; thence southerly along the easterly line of said 22.78 acre parcel to the northeast corner of that certain 5.75 acre parcel described in deed recorded in Book 261, page 208 of Deeds, Records of Orange County, California; thence southerly to the north corner of that certain 1.298 acre parcel described in deed recorded in Book 486, page 205 of Deeds, Records of Orange County, California; thence southerly and westerly along the easterly and southerly boundaries of said 1.298 acre parcel to the southeast corner of said 5.75 acre parcel; thence westerly to the southeast corner of that certain 12.12 acre parcel as described in deed recorded in Book 261, page 206 of Deeds, Records of Orange County, California; thence westerly along the south line of said 12.12 acre parcel to the southeast corner of Dominguez Estate as shown on map filed in records of survey Book 2, page 15, records of Orange County, California; thence westerly along the south line of said Dominguez Estate and south line of Tract 936 as per map recorded in Book 30, pages 1 and 2, Miscellaneous Maps, Records of Orange County, California, to the most southwesterly corner of Lot Seven (7) of said Tract 936; thence northerly and westerly along the westerly and southerly boundaries of said Lot Seven (7) to the most northerly corner of Lot Six (6) of said Tract 936; thence following the boundary of said Lot Six (6) southerly 113.94 feet, southwesterly 45.90 feet, southwesterly 242.05 feet to a corner in the easterly boundary of Lot Five (5) of said Tract 936; thence northwesterly in a direct line to a corner in the westerly boundary of said Lot Five (5), said corner being the northern terminus of a course in said westerly boundary of Lot Five (5) whose length is 1623.87 feet; thence following the said westerly boundary of Lot Five (5), northwesterly 158.18 feet and northerly 494.72 feet to the northwest corner of said Lot Five (5); thence north to the center line of the Santa Ana Valley Irrigation Company's main canal; thence westerly following the center line of said Santa Ana Valley Irrigation Company's main canal to its intersection with the northerly extension of the most northerly course on the easterly boundary of Tract 59 as per map recorded in Book 10, page 18 of Miscellaneous Maps,

Records of Orange County, California; thence southerly following the said northerly extension of said easterly boundary and the easterly and southerly boundary lines of said Tract 59 to the most southwesterly corner thereof; thence along the southerly boundary of Tract 58 as per map recorded in Book 10, page 6 of Miscellaneous Maps, Records of Orange County, California, to the most easterly corner of that certain 1.19 acre parcel as described in deed recorded in Book 311, page 213 of Deeds, Records of Orange County, California; thence following the southerly and westerly boundaries of said 1.19 acre parcel to the most northwesterly corner thereof; thence following the southerly boundary of said Tract 58 to the most westerly corner of said Tract 58, said corner being considered in the center line of the state highway known as the Santa Ana Canyon Road; thence following the center line of said state highway to its intersection with the northerly line of Olive Heights as per map thereof recorded in Book 19, page 18 of Miscellaneous Records of Los Angeles County, California; thence easterly along the northerly boundary of said Olive Heights to its intersection with the center line of Santa Ana Valley Irrigation Company's main canal; thence following the said center line of main canal to the most northwesterly corner of that certain district described in that certain agreement by Villa Park Mutual Water Company as recorded in Book 359, page 473 of Official Records of Orange County, California; thence easterly following the northerly boundary of said district to the westerly line of Lot Two (2) of Tract 166 as per map recorded in Book 12, pages 9, 10 and 11 of Miscellaneous Maps, Records of Orange County, California; thence following the westerly, northerly, and easterly boundary lines of said Tract 166 to Station 52 as described in deed recorded in Book 355, page 98 of Deeds, Records of Orange County, California, said station being in the northerly boundary line of Serrano Irrigation District as described in Book 76, page 69 of Official Records of Orange County, California; thence in a general easterly direction following the boundary of said Serrano Irrigation District to its most easterly corner, being a common corner with the most northerly corner of the Carpenter Irrigation District as described in Book 74, page 223 of Official Records of Orange County, California; thence southeasterly, southerly and easterly following the boundary line of said Carpenter Irrigation District to its intersection with the north line of Tract 944 as per map recorded in Book 29, page 41 of Miscellaneous Maps, Records of Orange County, California; thence easterly, southerly and westerly following the northerly, easterly and southerly boundaries of said tract 944 to the northeast corner of Tract 918 as per map recorded in Book 28, pages 41, 42, and 43 of Miscellaneous Maps, Records of Orange County, California; thence southerly, westerly, southerly, and easterly following the boundary of said Tract 918 to the northwest corner of Tract 931 as per map recorded in Book 29, page 27 of Miscellaneous Maps, Records of Orange County, California; thence easterly, southerly, and westerly following the northerly, easterly and southerly boundary of said Tract 931, to the southwest corner of Lot Eleven (11) of said Tract 931; thence southerly parallel to the east line of said Tract 918 one-half mile more or less to an intersection with the center line of the County Park Road; thence westerly along said center line of County Park Road to the said east line of said Tract 918; thence southerly, southwesterly, northwesterly, northerly, westerly, northwesterly, northwesterly, following the exterior boundary of said Tract 918, to an intersection with the exterior boundary of the said Carpenter Irrigation District, said point being 90 feet southeasterly of the northwest corner of Lot Seventy (79) of said Tract 918; thence following the exterior boundary of said Carpenter Irrigation District southwesterly and southerly, to the west corner of Lot One (1) of El Modena Citrus Lands, as per map thereof recorded in Book 6, page 32 of Miscellaneous Maps, Records of Orange County, California, said point being northeast corner of Lot Two (2) of said El Modena Citrus Lands; thence along the east line of said Lot Two (2) and Lots Four (4) and Five (5), the center line of adjacent road being considered as lot line, to the most northerly corner of Lot Six (6) of said El Modena Citrus Lands; thence southeasterly along the northeasterly line of Lots Six (6), seven (7), eight (8) and nine (9) of said El Modena Citrus Lands, to the most westerly corner of that certain 2.75 acres parcel as described in deed recorded in Book 209, page 184 of Official Records of Orange County, California; thence northeasterly and southeasterly along the boundary of said 2.75 acre parcel to the most easterly corner of said parcel; thence northeasterly along the northwesterly line of Lot Eleven (11) of said El Modena Citrus Lands, to the most northerly corner of said Lot Eleven (11); thence southeasterly along the northeasterly line of Lots Eleven (11) and Twelve (12) of said El Modena Citrus Lands, to the most easterly corner of said Lot Twelve (12); thence northeasterly along the northwesterly boundary of Irvine's Subdivision of Ranchos San Joaquin and Lomas de Santiago and Flint and Rieba's allotment in Rancho Santiago de Santa Ana, as per map recorded in Book 1, page 88 of Miscellaneous Maps, Records of Orange County, State of California, to a point on said boundary line and located southwesterly a distance of one and one-half miles from the westerly corner of Block Twenty (20) of said Irvine's Subdivision; thence within said Irvine's Subdivision southeasterly to the most easterly corner of the northerly one-quarter of the westerly one-quarter of Block Sixteen (16) of said Irvine's Subdivision; thence southwesterly along the southeasterly line of said northerly one-quarter of the westerly one-quarter of said Block Sixteen (16) to the most



southerly corner thereof; thence southeasterly along the northeasterly line of the southwesterly one-half of the southwesterly one-half of said Block Sixteen (16) to the southeasterly line of said block; thence southwesterly to the most southerly corner of said Block Sixteen (16); thence southeasterly along the northeasterly line of Block Forty-one (41) a distance of one-quarter mile; thence southwesterly one and one-half miles to the southerly corner of the northwesterly one-half of the northerly one-quarter of Block Forty-two (42); thence southeasterly one-half mile to the westerly corner of the southerly one-quarter of the easterly one-quarter of said Block Forty-two (42); thence northeasterly one-quarter mile to the northerly corner of said southerly one-quarter of the easterly one-quarter of said Block Forty-two; thence southeasterly three-fourths of a mile to the easterly corner of the southwesterly one-half of the northerly one-quarter of Block Sixty-six (66); thence southwesterly one-half mile to the northerly corner of the southwesterly one-half of the southerly one-quarter of said Block Sixty-six (66); thence southeasterly one-half mile to the easterly corner of said southwesterly one-half of the southerly one-quarter of said Block Sixty-six (66); thence southwesterly one-quarter mile to the southerly corner of said Block Sixty-six (66); thence southeasterly two miles to the easterly corner of Block One Hundred Six (106); thence southwesterly one-half mile to the southerly corner of the easterly one-quarter of said Block One Hundred Six (106); thence southeasterly one and one-quarter mile to the westerly corner of southeasterly one-half of the northerly one-quarter of Block One Hundred Forty-two (142); thence northeasterly three-fourths mile to the northerly corner of the southerly one-quarter of the westerly one-quarter of Block One Hundred Forty-three (143); thence southwesterly one-quarter mile to the easterly corner of said southerly one-quarter of the westerly one-quarter of Block One Hundred Forty-three (143); thence southwesterly one-quarter mile to the southerly corner of said southerly one-quarter of westerly one-quarter of Block One Hundred Forty-three (143); thence southeasterly one-quarter mile to the easterly corner of the northwesterly one-half of the easterly one-quarter of said Block One Hundred Forty-two (142); thence southwesterly one-half mile to the southerly corner of said northwesterly one-half of the easterly one-quarter of Block One Hundred Forty-two (142); thence southeasterly one-quarter mile to the easterly corner of the southerly one-quarter of said Block One Hundred Forty-two (142); thence southwesterly one mile to the southerly corner of the easterly one-quarter of Block One Hundred Forty-one (141); thence southeasterly one-half mile to the center of Block One Hundred Fifty-four (154); thence southwesterly three miles to the center of Block One Hundred Fifty-four (154); thence southwesterly three miles to the center of Block One Hundred Fifty-seven (157); thence northwesterly one half mile to the westerly corner of the northerly one-quarter of said Block One Hundred Fifty-seven (157); thence northeasterly one-quarter mile to the southerly corner of the easterly one-quarter of the easterly one-quarter of Block One Hundred Thirty-eight (138); thence northwesterly one-quarter mile to the westerly corner of said easterly one-quarter of the easterly one-quarter of Block One Hundred Thirty-eight (138); thence southwesterly one-half mile to the southerly corner of the northerly one-quarter of the southerly one-quarter of said Block One Hundred Thirty-eight (138); thence northwesterly one-half mile to the westerly corner of the easterly one-quarter of the westerly one-quarter of said Block One Hundred Thirty-eight (138); thence northeasterly one-eighth mile to the southerly corner of the northeasterly one-half of the northerly one-quarter of the westerly one-quarter of said Block One Hundred Thirty-eight (138); thence northwesterly one-half mile to the westerly corner of the northeasterly one-half of the easterly one-quarter of the southerly one-quarter of Block One Hundred Twenty-four (124); thence southwesterly three-eighths mile to the southerly corner of the northwesterly one-half of the said southerly one-quarter of Block One Hundred Twenty-four (124); thence northwesterly one and one-quarter mile to the westerly corner of the southerly one-quarter of Block One Hundred Two (102); thence southwesterly three-fourths mile to the southerly corner of the northeasterly one-half of the westerly one-quarter of Block One Hundred One (101); thence northwesterly one-half mile to the westerly corner of said northwesterly one-half of the westerly one-quarter of Block One Hundred One (101); thence southwesterly one-quarter mile to the southerly corner of Block Eighty-eight (88); thence northwesterly one-quarter mile to the easterly corner of the northerly one-quarter of the easterly one-quarter of Block Eighty-nine (89); thence southwesterly one-quarter mile to the southerly corner of the said northerly one-quarter of the easterly one-quarter of Block Eighty-nine (89); thence northwesterly one mile to the center of the easterly one-quarter of Block Fifty-nine (59); thence northeasterly one-quarter mile to the northerly corner of the easterly one-quarter of said easterly one-quarter of Block Fifty-nine (59); thence northwesterly one mile to the easterly corner of the northwesterly one-half of the easterly one-quarter of Block Forty-nine (49); thence southwesterly three-fourths of a mile to the easterly corner of the westerly quarter of the southerly quarter of said Block Forty-nine (49); thence northwesterly three-fourths of a mile in a direct line to the northerly corner of the southwesterly half of Lot 136 in Block Forty-nine (49) of said Irvine's Subdivision; thence northwesterly one-quarter mile in a direct line to the southerly corner of the northerly

quarter of Lot 135 in Block Forty-nine (49) of said Irvine's Subdivision; thence northeasterly one-quarter mile to the easterly corner of the northerly quarter of said Lot 135; thence northeasterly one-half mile to the southerly corner of the northeasterly half of Lot 135 in Block Seven (7) of said Irvine's Subdivision; thence northeasterly one-half mile to the easterly corner of the northeasterly half of said Lot 133; thence northeasterly one-quarter mile to the northerly corner of said Block Seven (7) on the northeasterly boundary of said Irvine's Subdivision; thence southeasterly and following the boundary of Coastal Municipal Water District, one mile to the westerly corner of said Block Seven (7); thence southeasterly along said northeasterly boundary to a point 1259.6 feet northeasterly from the westerly corner of Block Six (6) of said Irvine's Subdivision; thence southeasterly to the most northerly corner of Tract 745 as shown on a map recorded in Book 17, page 9 of Miscellaneous Maps, Records of Orange County, California; thence following the courses by distances and bearing along the easterly exterior boundary of said Tract 745 to an intersection with the center line of Santa Ana Avenue as shown on said map; thence northeasterly to the westerly corner of the southerly one-quarter of said Block Six (6); thence three-fourths mile southeasterly to the easterly corner of the northeasterly one-half of the northerly one-quarter of Block Fifty-one (51) of said Irvine's Subdivision; thence southeasterly along the southeasterly boundary of the northeasterly one-half of the northeasterly half of said Block Fifty-one (51) to the northeasterly line of the southeasterly half of the southwesterly half of Block Fifty-one (51); thence northeasterly following the boundary of Coastal Municipal Water District along the said northeasterly line of the southeasterly half of the southwesterly half of Block Fifty-one (51) to the easterly corner of the southerly quarter of Lot 151 in Block Five (5) of said Irvine's Subdivision; thence following the boundary of Coastal Municipal Water District, southeasterly along the southeasterly line of said Lot 151 to the mean high-tide line as established by decree of the Superior Court of Orange County in Case No. 20436 as recorded in Book of Judgments No. 19, page 309; thence westerly and southeasterly following the courses by distances and bearings along said mean high-tide line to an intersection with the southeasterly boundary line of Block Four (4) of said Irvine's Subdivision; thence southeasterly along the southeasterly boundary of said Block Four (4) to the intersection of the center line of Irvine Avenue with the center line of Twenty-third Street as shown on a Map of Newport Heights recorded in Book Four (4), page 83 of Miscellaneous Maps, Records of Orange County, California; thence north 50° west one mile, along the center line of said Twenty-third Street to the northerly corner of Lot 155, in Block Four (4) of said Irvine's Subdivision, said corner being the intersection of the center line of Newport Avenue and Twenty-third Street, as shown on said Map of said Newport Heights; thence north 40° east along the northeasterly line of said Irvine's Subdivision to an intersection of the center line of Newport Avenue, 60.00 feet in width lying southeasterly of and adjacent to the Southern Pacific Company right of way as shown on a Map of Fairview Farms, recorded in Book 8, page 71 of Miscellaneous Maps, Records of Orange County, California, with the easterly prolongation of the north line of said Fairview Farms; thence westerly along the north line of said Fairview Farms to the center line of Harbor Boulevard, formerly known as Fairview Avenue, as shown on said Map of Fairview Farms; thence northerly along the center line of said Harbor Boulevard to the north line of Lot A of the Banning Tract as shown on a map attached to the Report of the Referee's filed April 14, 1890, in the action of Hancock Banning et al. vs. Mary H. Banning, Case No. 6385 on the Register of Actions of the Superior Court of the State of California in and for the County of Los Angeles; thence westerly along the north line of Lot A of said Banning Tract to the east boundary line of the Talbert Drainage District; thence southerly along said East Boundary line of the Talbert Drainage District to the north line of said Fairview Farms; thence westerly along the north line of said Fairview Farms to the northwest corner of Lot 75 of said Fairview Farms; thence southeasterly along the northwesterly line of said Lot 75 to the southeast corner thereof; thence easterly along the south line of said Fairview Farms to the northwest corner of land deeded to Edna Race Capron recorded in Book 1281, page 199 of official Records, said corner being in the south line of said Fairview Farms and distant thereon 264.00 feet easterly from the intersection of said south line with the center line of Valley Road as shown on a map of Tract No. 653, recorded in Book 19, page 42 of Miscellaneous Maps, Records of Orange County, California; thence southerly along the west line of the last aforesaid land of Edna Race Capron to the southwest corner thereof; thence easterly along the westerly prolongation of the center line of Nineteenth Street, as shown on a map of First Addition to Newport Mesa Tract, recorded in Book 8, page 6, of Miscellaneous Maps, Records of Orange County, California (said center line being the north line of said First Addition to Newport Mesa Tract) to the northwest corner of said First Addition to Newport Mesa Tract; thence south 19° 16' 00" west along the northeasterly line of said First Addition to Newport Mesa Tract to the most westerly corner of Lot 1304 of said First Addition to Newport Mesa Tract; thence south 29° 09' 00" east along the Southwesterly line of said First Addition to Newport Mesa Tract and along the southeasterly extension of the southeasterly lines of Lot 919 of said First Addition to Newport Mesa Tract to the northwesterly line



of said Irvine's Subdivision; thence south  $40^{\circ} 00' 00''$  west along the northwesterly line of said Irvine's Subdivision and along the southwesterly prolongation thereof to the ordinary high-tide line of the Pacific Ocean in Newport Bay and designated "North Line" and North Bank of the Santa Ana River, as established by a decree in Court Case No. 23686 of the Superior Court in and for Orange County, California, a certified copy of which decree was recorded September 19, 1928 in Book 201, page 253, of Official Records; thence along the said North Bank of the Santa Ana River the following courses and distances: north  $74^{\circ} 17' 11''$  west to an angle point therein; thence north  $58^{\circ} 28' 28''$  west 1,085.28 feet; thence north  $66^{\circ} 44' 18''$  west 584.64 feet; thence north  $60^{\circ} 19' 50''$  west 577.07 feet to the former southerly line of the California State Highway having a width of 80.00 feet; said point bears south  $5^{\circ} 55' 18''$  east 1,113.01 feet from the northwest corner of the northeast quarter of Section 29, Township 6, South Range 10, West, S. R. B. & M.; said point of intersection also being 40.00 feet southerly of engineer's station  $683 + 40.95$  on the center of said highway; thence northwesterly in a straight line to the southerly end of that certain course in the boundary line of the Coastal Municipal Water District described as "south  $4^{\circ} 31' 33''$  east 439.77"; thence following the boundary line of said Coastal Municipal Water District the following courses and distances: north  $1^{\circ} 31' 33''$  west 439.77 feet; thence north  $1^{\circ} 35' 57''$  east 857.80 feet; thence north  $21^{\circ} 30' 03''$  west 544.00 feet; thence north  $27^{\circ} 46' 03''$  west 319.00 feet; thence north  $44^{\circ} 46' 33''$  west 337.15 feet; thence south  $74^{\circ} 07' 27''$  west 296.60 feet; thence south  $51^{\circ} 48' 28''$  west 194.20 feet; thence south  $20^{\circ} 07' 27''$  west 511.05 feet; thence south  $44^{\circ} 22' 57''$  west 241.88 feet; thence south  $81^{\circ} 50' 57''$  west 233.05 feet; thence north  $76^{\circ} 50' 03''$  west 225.30 feet; thence north  $68^{\circ} 22' 03''$  west 756.00 feet; thence south  $81^{\circ} 43' 27''$  west 258.27 feet to the intersection of the northwesterly prolongation of the southeasterly line of Summit Street as said street is laid out and shown on a Map of Seashore Colony Tract, as recorded in Map Book 7, page 25 of Miscellaneous Maps Records of Orange County, California with the North Bank of the Santa Ana River; thence southwesterly along the northeasterly prolongation of the southeasterly line of said Summit Street and along said Summit Street and along the southwesterly prolongation of the southeasterly line of said Summit Street to the ordinary high-tide line of the Pacific Ocean; thence northwesterly along the ordinary high-tide line of the Pacific Ocean to the intersection of said line of ordinary high-tide with the northwesterly line of the Santa Ana Outfall Sewer Right of Way, said northwesterly line of the Santa Ana Outfall Sewer Right of Way being described as the northwesterly line of the strip of land 30.00 feet in width described in "Parcel—c" in the complaint in that certain action in the Superior Court of the State of California in and for the County of Orange, entitled "The City of Santa Ana vs. J. N. Hearn et al," being Case No. 13753 in said court, said strip of land 30.00 feet in width being shown on the map attached to said complaint, and said northwesterly line of the Santa Ana Outfall Sewer Right of Way also being described in the order of possession entitled "Order", made and entered in said action on November 21, 1922, said "Order" being recorded in Book 1836, page 429 of Official Records of Orange County, California; thence south  $40^{\circ} 00' 00''$  west three miles more or less to a point in the Pacific Ocean, said point being three miles from the said line of ordinary high-tide; thence northwesterly and parallel with the said line of ordinary high-tide and distant three miles therefrom to a point on the southwesterly extension of the northwesterly line of Rancho La Bolsa Chica, as shown on licensed surveyor's map filed in Book 3, page 45 of Records of Survey in the office of the County Recorder of Orange County, California; thence northeasterly along the said extension of the northwesterly line of said Rancho La Bolsa Chica to the line of ordinary high-tide of the Pacific Ocean; thence northwesterly along said ordinary high-tide line of the Pacific Ocean to the point of beginning.

Said district is hereby divided into 10 divisions which shall be numbered first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth, and one director shall be elected or appointed as hereinafter provided from each division. Said 10 divisions are more particularly bounded and described as follows, to wit:

First Division: Division No. 1 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Loara, Katella and Garden Grove School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

Second Division: Division No. 2 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Olive, Villa Park, Orange, El Modena and that portion of Tustin School District lying within the Fourth Supervisorial District as said district boundary existed July 8, 1949.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Third Division:* Division No. 3 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Yorba Linda, Placentia, Fullerton and Anaheim School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Fourth Division:* Division No. 4 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Buena Park, Orange-Glendale, Centralia, Magnolia, Saratoga, Cypress, Laurel, Alamitos, Westminster and Seal Beach School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Fifth Division:* Division No. 5 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Tustin, San Joaquin and El Modena School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Sixth Division:* Division No. 6 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Ocean View, Fountain Valley and Huntington Beach School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Seventh Division:* Division No. 7 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District, that is located within the boundaries of the following named school districts as said districts are described in the official records of the Board of Supervisors of Orange County on July 8, 1949: Costa Mesa, Tustin, Santa Ana, Diamond and Greenville School Districts.

Excepting therefrom any area of said school districts which may be within the boundaries of the municipal corporations known as the Cities of Santa Ana, Anaheim and Fullerton.

*Eighth Division:* Division No. 8 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Santa Ana as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

*Ninth Division:* Division No. 9 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Anaheim as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

*Tenth Division:* Division No. 10 shall comprise all that area included within the exterior boundary of the aforesaid Orange County Water District that is located within the boundaries of the municipal corporation known as the City of Fullerton as it existed at 12 o'clock noon, March 6, 1953, or as it may hereafter exist.

Annexations to or enlargements of municipal corporations which constitute Divisions 8, 9, and 10 shall become part of the division which said municipal corporation constitutes without further act of said district; provided, however, that if said annexations or enlargements include land which is not already a part of said district, such land may be included within said district and said division only by inclusion proceedings as provided in this act.

*SEC. 2.5. Sections 1.1, 1.2, 1.3, 1.4, and 1.5 of said act are repealed.*

*Sec. 3. Section 2 of said act is amended to read:*

*Sec. 2. The "Orange County Water District" shall have power:*

1. To have perpetual succession;
2. To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals [of competent jurisdiction];
3. To adopt a seal and alter it at pleasure;
4. To take by grant, purchase, gift, devise, or lease, to hold, use and enjoy, and to lease, convey or dispose of, real and personal property of every kind, within or without the district, necessary or convenient to the full exercise of its power;

5. Within or outside of the district to construct, purchase, lease, appropriate, or otherwise acquire, and to operate and maintain necessary water works and other works, [and] machinery and facilities, canals, conduits, [dams and reservoirs, and to purchase, lease or otherwise acquire] waters, water rights, [storage sites,] spreading grounds, [watersheds,] lands, rights and privileges useful or necessary to replenish the underground water basin within said district, or to augment the common water supplies of said district; [supply, convey, store or reclaim water for irrigation, domestic, municipal or other useful purposes within said district, or for the control of flood or storm waters of said district, and the flood and storm waters of streams that have their source outside of said district, but which streams and the flood waters thereof, flow into said district, and the flood waters of other streams in which said district has acquired water or water rights, and to operate and maintain such water rights, water works, canals, conduits, dams, reservoirs, storage sites, spreading grounds, watersheds, works, machinery, lands, rights and privileges for the uses or purposes aforesaid for the common benefit of the district and of the inhabitants thereof;]

6. To store water in [surface and] underground water basins or reservoirs within or outside of [the] said district for the [common] benefit of the water users within said district; to conserve [and reclaim] water for the present and future use within [the] said district; to appropriate and acquire water and water rights, and import water into [the] said district, and to conserve water within or outside of [the] said district [same] for beneficial use within said district, [any useful purpose to the district; to commence, maintain, intervene in and compromise, in the name of the district, or otherwise, and to assume the costs and expenses of, any action or proceeding involving or affecting the ownership or use of waters or water rights within the district used or useful for any purpose of the district or of common benefit to any land situated therein, or involving the wasteful use of water therein; to commence, maintain, intervene in, defend and compromise and to assume the costs and expenses of any and all actions and proceedings now or hereafter begun; to prevent interference with or diminution of the natural flow of any stream or subterranean supply of waters used or useful for any purpose of the district or of common benefit to the lands within the district or to its inhabitants; to prevent unlawful exportation of water from said district; to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or sub-surface waters used in said district, and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger or damage the inhabitants, lands, or use of water in the district; provided, however, that said district shall not have power to intervene or take part in, or to pay the costs or expenses of, actions or controversies between the owners of lands or water rights within the boundaries of the district and which do not involve taking water outside of or away from the district;

7. To control the flood and storm waters of said district, and the flood and storm waters of streams that have their source outside of said district, but which streams and the flood waters thereof, flow into said district, and to conserve such waters for beneficial and useful purposes within said district by spreading, storing, retaining and causing said waters to percolate into the soil within or without said district, or to save or conserve in any manner all or any of such waters and protect from damage from such flood or storm waters, the harbors, waterways, public highways, and property in said district;]

7. To commence, maintain, intervene in, defend and compromise, in the name of said district, or otherwise, and to assume the costs and expenses of any and all actions and proceedings now or hereafter begun to prevent interference with water or water rights used or useful to lands within said district, or diminution of the quantity or pollution or contamination of the water supply of said district; to prevent unlawful exportation of water from said district; and to commence, maintain and defend actions and proceedings to prevent any interference with the water or water rights used or useful in said district which may endanger or damage the inhabitants, lands or use of water in said district; provided, however, that said district shall not have power to intervene or take part in, or to pay costs or expenses of actions or controversies between the owners of lands or water rights all of which are entirely within the boundaries of said district and which do not involve pollution or contamination of water within said district or exporting water outside of said district's boundaries or any threat thereof;

8. To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to the exercise of any of the powers granted by this act, except that [the] said district shall not have the right of eminent domain as to water, water rights, reservoirs, pipe lines, water distributing systems, waterworks, or power plants, all or any of which are already devoted to beneficial or public use and located within the watershed of the Santa Ana River, and excepting further from the exercise of the right of eminent domain by [the] said district any property maintained and actually used for the scientific propagation and study of plant life. No language or provision of [the water district] this act, or of this subdivision [of said act], shall be interpreted or construed so as to limit or abridge the right of [the] said district, or its board of directors, to exercise its right of eminent domain to condemn property at any place within the Santa Ana River watershed for rights of way upon and across



and under which to construct pipe lines, conduits, tunnels and/or aqueducts necessary or convenient for any of the purposes of [the] said district provided the property sought to be condemned for said purposes is not already being used by other corporations, municipalities, districts or individuals for similar purposes; providing, however, that neither said district nor its board of directors shall have power to enter in or upon the Mojave River or any of its tributaries or appropriate, take or condemn any of the water or the right to the use of any of the water of said Mojave River or any of its tributaries; nor shall anything in this act be deemed as authorizing or empowering said district or its board of directors to so do. Subject to the express limitations hereinbefore set out, in any proceedings relative to the exercise of such right of eminent domain, [the] said district shall have the same rights, powers and privileges as a municipal corporation; [-]

9. The [board of directors] district, [subject to the limitations set forth in Subdivision 8 of Section 2 hereof,] shall in addition to the other powers herein granted by this act, have the following rights and powers: *To act jointly with or cooperate with the United States or any agency thereof, the State of California or any agency thereof, any county of the State of California, districts of any kind, public and private corporations, and any person or persons, to carry out the provisions and purposes of this act; in such joint or cooperative activities, said district may act within or outside of its boundaries; [To enter upon any land to make surveys and locate the necessary irrigation works and the line for canal or canals and the necessary branches for the same on any lands which may be deemed best for such location; to acquire by purchase, lease, contract, condemnation or other legal means, all lands and water and water rights and other property necessary for the construction, use, supply, maintenance, repair and improvement of said tunnels, canal or canals and works, whether in this or in other states including canals and works constructed and being constructed by private owners, lands for reservoirs for storage of necessary water, and all necessary appurtenances, and also where necessary or convenient to said end, and for said purposes and uses, to acquire and hold the stock of corporations, domestic or foreign, owning water or water rights, canals, water works, power plants, franchises, concessions or rights; to enter into and do any acts necessary or proper for the performance of any agreement with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any rights, works or other property of a kind which might be lawfully acquired or owned by an irrigation district or a water district; to acquire the right to store water in any reservoirs, or to carry water through any canal, ditch or conduit not owned or controlled by the district; to grant to any owner or lessee the right to the use of any water or the right to store such water in any reservoir of the district, or to carry such water through any tunnels, canal, ditch or conduit of the district; to enter into and do any acts necessary or proper for the performance of any agreement with any district of any kind, public or private corporation, association, firm or individual, or any number of them for the transfer or delivery to any such district, corporation, association, firm or individual of any water right or water pumped, stored, appropriated or otherwise acquired or secured for the use of the water district, or for the purpose of exchanging the same for other water, water right or water supply in exchange for water, water right or water supply to be delivered to said district by the other party to said agreement; to cooperate with and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments, or agencies, or with any public or private corporation, in the construction of any work for the controlling of flood or storm waters of said district, or for the protection of property therein, or any of the channels, waterways, roads or highways in said district, or for the purpose of conserving said waters for beneficial use within said district, or in any other words, acts, or purposes provided for herein, and to adopt and carry out any definite plan or system of work for any such purpose.*

To borrow money and incur indebtedness and to issue bonds or other evidences of such indebtedness; also to refund or retire the same or any indebtedness that may exist against the district or property thereof;]

[11] 10. To cause assessments and/or charges to be levied for the purpose of [paying any obligations of the district or to accomplish] accomplishing any of the purposes of this act;

[12] 11. To make contracts, to employ labor and to do all acts necessary for the full exercise of the foregoing powers [-];

[13] 12. To carry on technical and other investigations of all kinds, [make measurements, collect data, and make analysis, studies and inspections pertaining to water supply, water rights, control of floods and use of water, both within and without said district.] necessary to carry out the provisions of this act, and for this purpose said district shall have the right of access through its authorized representative to all properties within said district.



*SEC. 4. Section 3 of said act is amended to read:*

Sec. 3. The powers and duties herein enumerated shall, except as herein otherwise provided, be exercised and performed by the board of directors elected or appointed as provided herein. "Board" or "board of directors" as used in this act means the Board of Directors of the Orange County Water District.

*SEC. 5. Section 4 of said act is amended to read:*

Sec. 4. The government of the said district shall be vested in said board of directors to consist of [seven] 10 members to be elected or appointed as hereinafter provided; a secretary, or assistant secretary who shall be appointed and hold office at the pleasure of the said board of directors; the county treasurer, county assessor, county tax collector, and county auditor of said Orange County and their successors in office, and all their deputies, assistants, clerks and employees, which county officers shall perform the same respective duties for said district as they perform for said Orange County, without additional compensation, in order to carry out the provisions of this act, when so requested by said district.

Said board of directors may appoint and employ an attorney or attorneys, and an engineer or engineers for said district and such other officers and employees for said district as in their judgment may be deemed necessary, and prescribe their duties and powers and compensation, which officers and employees shall hold office or be employed during the pleasure of the said board of directors.

*SEC. 6. Section 5 of said act is amended to read:*

Sec. 5. The president shall sign all contracts on behalf of [the] said district, and perform such other duties as may be imposed on him by the board of directors or by this act. In the absence of or inability of the president to serve, the vice president shall perform his duties.

The secretary or assistant secretary shall countersign all contracts on behalf of [the] said district and perform such other duties as may be imposed on him by the board of directors or by this act.

The board of directors may by resolution adopt reasonable rules and regulations not inconsistent with this act for the administration and government of the affairs of [the] said district, and alter them from time to time as conditions may require; they may also appoint appropriate officers or agents to represent them as directed in administering the affairs of [the] said district, which officers or agents shall receive the compensation established by the board from time to time, and serve at the pleasure of the board. Said board may require any of said officers or agents to furnish bond in the form and amount fixed by it.

*SEC. 7. Section 6 of said act is amended to read:*

Sec. 6. The board of directors shall act only by resolution. The ayes and noes shall be taken upon the passage of all resolutions and entered upon the minutes of the proceedings of the board of directors. No resolution shall be passed or become effective without the affirmative votes of at least a majority of the members of the board [, and after the expiration of eight (8) years from the date this act becomes effective, no new project which requires the issuance of bonds or the voting of a special assessment under the provisions of this act shall be authorized by the board of directors if more than one director votes against any resolution providing for the same]. Each director shall receive the sum of [five] ten dollars [(\$5)] (\$10) and a reasonable sum for mileage to be fixed by the board from time to time for each meeting of the board of directors attended by him. A director shall receive additional compensation not exceeding [ten] twenty dollars [(\$10)] (\$20) per day as shall be fixed and allowed by the board from time to time for his services while otherwise employed by authority of the board on the business of the district; also subject to approval of the board, reasonable compensation for all traveling and other expenses, including mileage incurred by him in such employment.

*SEC. 8. Section 8 of said act is repealed.*

*SEC. 9. Section 9 of said act is amended to read:*

Sec. 9. The provisions of this section shall not apply to Divisions 8, 9 and 10 of said district, where the directors therefrom are appointed as provided elsewhere in this act.

Only the holders of title to lands situated within [the] said district or to assessable rights in said lands, or to improvements on said lands, shall be entitled to vote at any election held under the provisions of this act, and every such holder of title shall be entitled to vote in person or by proxy as hereinafter provided in each division of [the] said district in which any of the lands, including assessable rights therein or improvements thereon, owned by him are situated, and to cast one vote for each one hundred dollars or fraction thereof worth of land including assessable rights therein or improvements thereon, in each said division so owned by him.

Such ownership and value shall be determined from the last equalized assessment roll of said Orange County, and the board of supervisors of said county, prior to each election held under the provisions of this act, at the expense of [the] said district, shall cause to be prepared and certified and furnished to the board of election at each voting place, a true and correct copy of the entries upon the last equalized assessment rolls of said county, so far as such assessment rolls apply to the lands within said district, to the extent of showing the names of each owner, and the assessed value of the land owned

by each division in said district, which said certified entries from said rolls shall be used by said boards of election in determining the number of votes each voter is entitled to cast.

Where land is owned by two or more persons, the votes shall be divided in accordance with the interests of each owner. Where land is assessed to unknown owners or anyone other than the true owner, any person producing a certificate of a title insurance or abstract company certifying the true ownership of such land at the date of the election, or at any time within five days previous thereto, accompanied by an affidavit of the person certified to be the owner that he is the owner of the property at the time of the election, said person so certified to be the owner shall be entitled to vote in like manner as if his name appeared upon the assessment rolls as above mentioned.

Where corporations or partnerships appear as the owners of property, the votes of such owners shall be cast by any person holding a proxy from such corporation or firm. Executors, administrators, special administrators and guardians and trustees may cast the votes of the estates represented by them upon filing with the board of election a certified copy of their letters testamentary or of administration or guardianship or of appointment as trustee. No person shall vote by proxy at such election unless authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property, and filed with the board of election.

If any [qualified] voter qualifies under this act [owns land] in more than one voting precinct in any division of [the] said district, he shall cast all of the votes which he is entitled to cast in said division at one voting precinct therein [in which he owns land].

Said election shall be conducted in accordance with the general election laws of this State so far as applicable, and except as herein otherwise provided. The election officer in delivering to each voter his ballot shall ascertain and write upon the ballot the number of votes the holder of the ballot is entitled to cast, and in canvassing the returns shall see to it that the number of votes cast does not exceed the number of votes such voter was entitled to cast, but if there is an excess, the ballot shall not be disregarded or invalidated, but only the number which the voter was entitled to cast shall be counted. The election officers shall publicly count the votes immediately after the close of the election, and forthwith make a report of the result of said election to the board of directors of [the] said district.

*SEC. 10. Section 10 of said act is amended to read:*

Sec. 10. Not less than 15, nor more than 30 days before any election held for the purpose of electing directors for [the] said district from Divisions 1 to 7, inclusive, 25 or more qualified voters under this act residing in such a division of [the] said district may file with the secretary of [the] said district, a petition, requesting that the name of a certain person, specified in said petition, be placed on the ballot as candidate for the office of director from said division of [the] said district. Any number of candidates may be so nominated. The names proposed by the various petitions so filed, and no others, shall be printed on the ballots, but there shall be a blank space left in which voters may at the election write in other names if they so desire. The petitions shall be preserved at least one year after they are filed in the office of the secretary of [the] said district.

*SEC. 11. Section 11 of said act is repealed.*

*SEC. 12. Section 11 is added to said act to read:*

Sec. 11. Each director, whether elected or appointed, shall be a resident of said district and an owner of land in the division from which he is elected or appointed.

*SEC. 13. Section 12 of said act is amended to read:*

Sec. 12. [After the first election hereinbefore provided for,] An election shall be held on the first Tuesday in February of each odd numbered year, [after the organization of said district, commencing with the year 1935,] in Divisions 1 to 7 inclusive at which directors for [the] said district shall be elected to fill the offices of the directors whose terms of office shall expire on the [first Tuesday] second Wednesday in March thereafter, in accordance with the provisions of this act. The person receiving the highest number of votes for the office of director in a division is elected director from that division.

In Divisions 8, 9 and 10 of said district, the governing body of the city comprising each such division shall appoint the director to represent such division upon the board of directors, to serve at the pleasure of such governing body. Within 60 days after the amendment to this act shall take effect, the governing bodies of all of such cities shall appoint such director who shall qualify in all matters as an elected director.

Vacancies occurring in the board of directors by reason of death, resignation or otherwise, shall be filled by appointment by the remaining directors in office, [and in case of their failure to appoint within ten days after such vacancy occurs then same shall be filled by appointment by the board of supervisors of Orange County, except that if the vacancy is that of an appointed director, the appointing body shall appoint a successor within sixty days after the occurrence of such vacancy, or the remaining directors shall make the appointment.] A director so appointed shall hold office for the unexpired term of his predecessor. [The person receiving the highest number of votes for the office of director in a district is elected director from that district.]

Within 10 days after receiving their respective certificates of election, or notice of appointment, each person who shall be elected or appointed to the office of director shall qualify as such by taking and subscribing an official oath of office and filing the same with the secretary of [the] said district.

Each director shall execute an official bond in the sum of [one] ten thousand dollars (\$10,000) which shall be approved by a judge of the Superior Court of the County of Orange, and shall be recorded in the office of the county recorder of such county, and then, together with his official oath, filed with the secretary of the board of directors. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of the county officers.

*Premiums for bonds required by this act shall constitute a proper charge against said district.*

*SEC. 14. Section 13 of said act is amended to read:*

Sec. 13. On the [first Tuesday] second Wednesday in March next following their election, the directors elected or appointed shall meet and organize as a board, elect a president and vice-president, and may appoint a secretary or assistant secretary, who shall each hold office during the pleasure of the board. Each director appointed or elected shall hold office until his successor is elected, or appointed, and has qualified. The term of office of each elected [directors] director is hereby fixed at four years, except as herein otherwise provided. The office of [the board of directors] said district shall be established by [said] the board of directors at some proper and convenient place within the County of Orange, but does not have to be established or maintained within [the] said district. After the office is once established, it shall not be changed without giving notice thereof by posting in three public places within [the] said district and by publishing a similar notice at least once a week for two weeks in some newspaper of general circulation published in said Orange County.

*The secretary and assistant secretary of said district need not be one of the directors. The salary of the secretary and assistant secretary and amount of the bond to be given for the faithful performance of his duties shall be fixed by the board of directors. The bond of the secretary and assistant secretary of said district shall be recorded in the office of the recorder of said Orange County and then filed with the president of the board of directors of said district.*

*SEC. 15. Section 14 of said act is amended to read:*

Sec. 14. At a meeting of the board of directors of [the] said district to be held not less than 20 days before the time for a biennial election of the directors, the board, by resolution duly adopted, shall call an election to be held in the [division or] divisions of said district where directors are to be elected for the purpose of electing directors thereof, and shall give notice to the governing body in divisions where directors are appointed. [and] In [said] the resolution the board shall designate the day of said election, [divide each division into] a convenient election precinct or precincts[,] in each division, and the polling place in each precinct. The board shall appoint an election board[s] for each precinct consisting of one inspector, one judge and one clerk, and shall prescribe the hours during which the polls shall be open on the day of the election which shall not be less than eight hours[, and said] The board shall cause notice of said election to be given by posting notices thereof in three public places [in each of the said divisions from which a director is to be elected, said notices] in each such division, to be posted at least 20 days prior to said election, and by publication of said election notice for at least three successive weeks previous to the day of election in a newspaper published in said district. Said election shall be conducted as nearly as practicable in accordance with the general election laws of the State, but no particular form of ballot shall be required, and no sample ballots need be mailed. The board of directors shall provide ballots and election supplies for each precinct.

*SEC. 16. Section 15 of said act is amended to read:*

Sec. 15. The board of directors shall meet on the first Monday succeeding said election and canvass the votes cast thereat and shall declare the persons receiving respectively the highest number of votes in each division at said election to be duly elected directors of said district from the respective divisions, and in the event of a tie vote, in the same manner and with like notice, shall call another election in any division where the vote is tied and so proceed until a director is elected from said division.

*At the first meeting of the board of directors of said district following receipt of a certificate of appointment of a director from Division 8, 9 or 10, the board of directors shall declare to be duly appointed as a director of said district, all such directors certified as appointed by the governing body of the city comprising each such division.*

*SEC. 17. Section 16 of said act is amended to read:*

Sec. 16. The board of directors at their regular monthly meeting in [July] August of each year shall render and immediately thereafter cause to be filed with the secretary and posted conspicuously in the office of [the] said district a verified statement of the financial condition of [the] said district, showing in detail the receipts and disbursements during the last preceding year, together with the sources of said receipts and purposes of said disbursements. A summary of said statement shall be published at least once a week for two weeks in some newspaper published in said district, and shall refer to the itemized statement filed and posted in the office of [the] said district for further particulars.



*For the purpose of rendering such statement, said district shall designate a certified public accountant who shall make an independent audit of the accounts and other evidences of financial transactions of the district during the preceding year. Such certified public accountant shall have no personal interest directly or indirectly in the financial affairs of said district.*

**SEC. 18.** *Section 17 of said act is amended to read:*

**Sec. 17.** The board of directors, on or before the first meeting of the board of supervisors of said Orange County in August of each year, must furnish said board of supervisors and the auditor of said Orange County with an estimate in writing of the amount of money needed for the initiated or authorized purposes of the district for the current fiscal year, *except ground water replenishment*. This amount, together with available [moneys] funds on hand, shall be deemed to be sufficient to provide the necessary funds to initiate, carry on and complete any of the powers, projects, and purposes for which this district is organized, and which the board of directors shall deem advisable to be initiated or authorized for the current fiscal year, *except ground water replenishment*; to pay the estimated cost of maintenance, operation and repairs of works and projects of [the] said district, the incidental expenses of [the] said district, and the estimated amount necessary for the payment of the costs of any action or proceeding which may be taken or assumed by [the] said district, including the cost of employment of attorneys and engineers. *In estimating the general funds needed by said district, all general funds on hand which are or will be expended at the end of the fiscal year shall be considered as funds on hand; provided, however, the sum of \$150,000 or 50 percent of the total amount collected under the last general assessment, whichever amount is greater, shall not constitute a part of such funds on hand and shall remain available for expenditure by the district for unanticipated needs. [ ] and if bonds have been voted by the district, said estimate shall include an amount sufficient to raise the interest and principal on the outstanding bonds accruing during the current fiscal year and to provide for a sinking fund from which to pay the principal of said bonds when due; and if said district shall have voted a special assessment as provided in Section 35 hereof, said estimate shall also include the amount of any installment of said special assessment, to be levied during said year; and if the district shall have entered into a contract with a metropolitan water district organized under the Metropolitan Water District Act of this State, for the purchase of water from such metropolitan water district, said estimate shall include an amount which shall be:*

[ (1) Sufficient to meet all the payments required to be made during said fiscal year to the vendor metropolitan water district by the vendee district; and

(2) Sufficient to meet all other outlays and disbursements of said vendee district required during said year in the performance of such contract.]

*Provided, however, that [if at the time of making said estimates the district shall not have voted a special assessment as provided in Section 35 hereof, and said district shall not have voted bonds as in this act provided, and said district shall not have entered into a contract for the purchase of water from such metropolitan water district, then] the amount of the general assessment levied during any year shall not exceed [two cents (\$0.02) ] eight cents (\$0.08) for each one hundred dollars (\$100), or fraction thereof, of assessable property in said district, excluding personal property, according to the last assessment rolls of Orange County, [unless at the time of the levy of each annual assessment as provided for in this act at least six members of the then board of directors of the district vote in favor of the levy of an assessment not exceeding fifteen cents (\$0.15) for each one hundred dollars (\$100), or fraction thereof, of assessed valuation of assessable property in the district according to the last assessment rolls of Orange County,] provided, however, that for two full fiscal years after the effective date of the amendment to this act, the board of directors may purchase water for the replenishment of the ground water supplies of said district from the general assessment fund, but after such two-year period it shall require the affirmative vote of at least eight of the directors to expend general assessment funds for such purpose; provided further, however, that no expenditure of funds to purchase water for the replenishment of the ground water supplies of said district shall be made from the general assessment funds in any one year in excess of a sum of money sufficient to purchase 25,000 acre feet or in an aggregate sum of money sufficient to purchase 375,000 acre feet.*

**SEC. 19.** *Section 18 of said act is amended to read:*

**Sec. 18.** The Board of Supervisors of said Orange County at the time of the levying county taxes annually must levy [an] a general assessment sufficient to raise the amount or amounts specified in said estimates of said directors, as herein provided. Said board of supervisors must determine the rate of such assessment by deducting [fifteen] 10 percent for anticipated delinquencies from the assessed value of the assessable real property in [the] said district on which an assessment is to be levied, as it appears on the assessment roll of the county, and then dividing the sum or sums reported by [the] said board of directors as required to be raised by the remainder of such total assessed value. [All] The general assessments levied and/or collected under the terms of this act shall be levied and collected on real property including assessable rights therein and improvements thereon, but not on personal property.



*SEC. 20. Section 19 of said act is amended to read:*

Sec. 19. The general assessment so levied by said district shall be computed and entered on the assessment roll by the county auditor, and if the board of supervisors fail to levy the general assessment as provided in the preceding section, then the auditor must do so. Said general assessments shall be collected at the same time and in the same manner as state and county taxes, and when collected, shall be paid into the treasury of said Orange County for the use of said district.

*The provisions of the statutes of this State, prescribing the manner of levying, assessing, equalizing and collecting taxes, including the sale of property for delinquency, and the redemption from said sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.*

*SEC. 21. Section 20 of said act is amended to read:*

Sec. 20. The following funds are hereby created and established for said district to which the moneys of the district shall be deposited and applied, [apportioned by the treasurer in accordance with the aforesaid estimate by the board of directors,] to wit, [bond fund, construction fund and] the general fund and the replenishment fund. All funds collected and received by said district from the levy of said district's replenishment assessment shall be deposited with the treasurer and applied to the replenishment fund. All funds collected and received by said district from the levy of the general assessment shall be deposited and applied to the general fund. All other funds received by said district shall be deposited in the fund designated by the board [Whenever an object for which money has been specifically provided has been accomplished and any money provided therefor remains unexpended the same shall, in the discretion of the board of directors, be transferred to any of said funds, provided that all surplus moneys received from the sale of bonds shall be transferred only to the bond fund] of directors.

*SEC. 22. Section 21 of said act is amended to read:*

Sec. 21. For the purpose of constructing, purchasing, leasing or otherwise acquiring [necessary water works or other works or machinery, canals, conduits, dams and reservoirs, and of purchasing, leasing or otherwise acquiring] water, water rights, storage sites, spreading grounds, [watersheds,] lands, canals, conduits, rights and privileges useful or necessary for the purposes of said district, and otherwise carrying out the provisions of this act, and before any such purposes or projects are instituted and carried out, the board of directors of said district shall determine whether any such purpose or project is feasible and necessary and of general benefit to the lands in the district, and shall also estimate and determine the amount of money necessary to be raised for each or any of said purposes or projects. For the purpose of ascertaining the feasibility, necessity and general benefit of any such purposes or projects and the amount of money necessary to be raised for the same or any of them, said board shall cause such engineering investigations, surveys, examinations, drawings, plans and reports to be made as shall furnish the proper basis for said purposes or projects, and said estimates of the cost thereof. Said engineering investigations, drawings, plans and reports, and the estimates based thereon may provide that the works necessary for a completed purpose or project shall be constructed progressively during a period of years. [In the estimate of the amount of money necessary to be raised by any issue of bonds, the board of directors may include a sum sufficient to pay the interest on all of said bonds for one year.] All engineering investigations, examinations, drawings, plans and reports shall be made under the direction of a competent engineer or engineers selected by the directors, and shall be certified by him or them. All data obtained by Orange County Flood Control District and all other available engineering data [shall] may be [made use of] considered in all of said engineering investigations.

*SEC. 23. Section 22 of said act is amended to read:*

Sec. 22. If it shall appear from said engineer's report or reports that any such purpose or project is feasible and [of necessity] necessary and of general benefit to the lands in the district, the board of directors by resolution entered in its minutes [shall] may so find and [shall] may declare the purpose or project duly instituted. [and if bonds are to be issued for said purpose or project, said board in said resolution shall determine and declare the respective amounts of bonds that should be issued in order to raise the amount of money necessary for each purpose or project and the denomination and rate of interest of said bonds. Said board shall cause a copy of said resolution duly certified by the secretary, to be filed for record in the office of the recorder of Orange County within five days after its issuance. From and after said filing the institution of said purpose or project included in said resolution shall be complete.]

*SEC. 24. Section 23 of said act is repealed.*

*SEC. 25. Section 23 is added to said act, to read:*

Sec. 23. Replenishment assessments levied pursuant to this act are declared to be in furtherance of district activities in the protection of the water supplies for users within the district which are necessary for the public health, welfare and safety of

the people of this State. The replenishment assessments are authorized to be levied upon the production of water from all water producing facilities, whether public or private, within said district for the special benefit of all who rely directly or indirectly upon the ground water supplies of such district.

The proceeds of the replenishment assessment levied, assessed and collected upon the production of water from the ground water supplies within said district shall be used exclusively for the acquisition of water for replenishment of the ground water supplies of said district.

SEC. 26. Section 24 of said act is repealed.

SEC. 27. Section 24 is added to said act, to read:

Sec. 24. On or before the fifteenth day of January, 1954, all water producing facilities located within the boundaries of the Orange County Water District shall be registered with said district by the owner or operator thereof. Any new water producing facility constructed or re-established after such date shall be registered with said district within 30 days after the completion or re-establishment thereof.

Failure to register any water producing facility with said district is a misdemeanor punishable by a fine of not to exceed five hundred dollars (\$500) or imprisonment in the county jail for not to exceed six months or by both such fine and imprisonment.

In addition to other information which said district may determine is necessary and may require in the registration form provided there shall also be given information as to the owner or owners of the land upon which each water producing facility is located, a general description and location of each water producing facility, the name and address of the person charged with the operation of each water producing facility and the name or names and addresses of all persons owning or claiming to own 10 percent or greater interest in the water producing facility or owning or claiming to own or receiving 10 percent or more of the water produced therefrom.

"Person," "owner," or "operator" as used in this act means public agencies, federal, state, and local, private corporations, firms, partnerships, individuals or group of individuals whether legally organized or not.

"Production" or "producing" as used in this act means the act of extracting ground water, by pumping or otherwise.

"Water producing facility" as used in this act means any device or method, mechanical or otherwise, for the production of water from the ground water supplies within said district.

"Accumulated overdraft" as used in this act means the amount of water necessary to be replaced in the intake area of the ground water basin within said district to prevent the landward movement of ocean water into the fresh ground water body, as determined by the board of directors from time to time.

"Annual overdraft" as used in this act means the amount, determined by the board of directors, by which the production of water from the ground water supplies within said district during the water year exceeds the natural replenishment of such ground water supplies in such water year.

"Water year" as used in this act means July 1st of one calendar year to June 30th of the following calendar year.

SEC. 28. Section 25 of said act is repealed.

SEC. 29. Section 25 is added to said act, to read:

Sec. 25. The district shall annually order an investigation and report to be made by an engineer or engineers employed by said district for the purpose of investigating and reporting upon ground water conditions of said district. The investigation and report shall include among other information which said district may desire, information for the consideration of the board in its determination of the annual overdraft, information for the consideration of the board in its determination of the accumulated overdraft as of the last day of the preceding water year, a report as to the total production of water from the ground water supplies of said district for the preceding water year, an estimate of the annual overdraft for the current water year and for the ensuing water year, and a recommendation as to the quantity of water to be purchased for replenishment of the ground water supplies of said district for the ensuing year.

SEC. 30. Section 26 of said act is repealed.

SEC. 31. Section 26 is added to said act, to read:

Sec. 26. On the second Wednesday in March of each year, the engineering investigation and report shall be delivered to the secretary of said district in writing. Said secretary shall publish a notice of the receipt of such report in a newspaper of general circulation, printed and published within said district, at least 10 days prior to the date at which the public hearing regarding ground water conditions shall be held. Said notice, among other information which the district may provide therein, shall contain an invitation to all owners or operators of water producing facilities within said district to call at the offices of said district to examine said engineering investigation and report.

There shall be held, by the board of directors, on the second Wednesday of April of each year, at the district offices a public hearing at which time any owner or operator of a water producing facility within said district or any person interested in the condition of the ground water supplies of said district may in person or by representative appear and submit evidence concerning the ground water conditions of said district.

Appearances, also, may be made supporting or protesting said written engineering investigation and report. Said board of directors shall, before the levy of the replenishment assessments, find and determine the average annual overdraft for the immediate past ten water years; the estimated annual overdraft for the current water year; the estimated annual overdraft for the ensuing water year; the accumulated overdraft as of the last day of the preceding water year; the estimated accumulated overdraft as of the last day of the current water year; the amount of water which should be purchased for the replenishment of the ground water supplies of said district for the ensuing water year, and the sum of money necessary therefor.

Such finding and determination by said board shall be conclusive and binding upon all persons and parties.

SEC. 32. Section 27 of said act is repealed.

SEC. 33. Section 27 is added to said act, to read:

Sec. 27. If the board of directors finds and determines that an overdraft, either annual or accumulated, does exist, then said district may levy upon the person operating each water producing facility in the district a charge or replenishment assessment on the production of ground water within the district during the ensuing water year, which shall be computed and fixed at a uniform rate per acre foot of water produced.

The total of the replenishment assessment shall not exceed an amount of money found to be necessary to purchase sufficient water to replenish the 10-year average annual overdraft plus an additional amount of water sufficient to eliminate the accumulated overdraft over a period of not less than 10 years nor more than 20 years.

On the second Wednesday in June of each year, at the hour of 2 p.m. at the offices of said district, the board of directors may hold a public hearing for the purpose of determining the need and desirability of levying a replenishment assessment and fixing the rate thereof. In computing and fixing the replenishment assessment rate, there shall be allowed 10 percent for delinquencies. Notice of such hearing shall be given by publication in a newspaper of general circulation printed and published within said district, at least 10 days prior to the date set for said hearing.

Any replenishment assessment levied by this section shall be in addition to any general assessment levied by said district.

Clerical errors occurring or appearing in the name of any person or in the description of the water producing facility where the production of water therefrom is otherwise properly assessed, or in the making or extension of any assessment upon the records, which do not affect the substantial rights of the assessor or assessors, shall not invalidate the assessment.

SEC. 34. Section 28 of said act is repealed.

SEC. 35. Section 28 is added to said act, to read:

Sec. 28. The district, after the levying of the replenishment assessment, shall give notice thereof to the operator of each water producing facility in the district as disclosed by the records of said district, which notice shall state the rate of the replenishment assessment for each acre foot of water to be produced during the ensuing water year. Said notice may be sent by postal card or by other first class mail with postage prepaid by said district.

SEC. 36. Section 29 of said act is repealed.

SEC. 37. Section 29 is added to said act, to read:

Sec. 29. Each owner or operator of a water producing facility within said district shall file with said district on or before February 15, 1954, an information water production statement. Such statement shall provide, among other information which said district may require, an estimate of the total production of water from each water producing facility for the preceding water year, an estimate of the production of water from each water producing facility for the current water year, an estimate of the production of water from each water producing facility for the ensuing water year and information as to the method or basis of making such estimates.

Each owner or operator of a water producing facility within said district shall file with said district on or before the thirty-first day of January, 1955, and on or before the thirty-first day of July, 1955, and thereafter, on a semi-annual basis on or before the last day in January and July of each year, a sworn statement setting forth the total production in acre feet of water for the preceding six months period (excluding the month in which the statement is due), a general description or number locating each water producing facility and the method or basis of the computation of such water production. The replenishment assessment is payable to said district on or before the last date which the water production statements shall be filed and is computed by multiplying the production in acre feet of water as disclosed in the statement, by the replenishment assessment rate.

If any owner or operator of a water producing facility shall fail to pay the replenishment assessments when due, said district may charge interest at a rate not to exceed 1 percent each month on the delinquent amount of the replenishment assessment.

Should any owner or operator of a water producing facility fail to register each water producing facility or fail to file in January and July of each year the water production statement, said district may in addition to charging interest as provided herein assess a penalty charge against such owner or operator in an amount not to exceed 10 percent of the amount found by said district to be due.



The board of directors may, at the time of fixing the replenishment assessment rates, provide by resolution that all water producing facilities having a discharge opening not greater than two inches in diameter and which do not provide domestic or irrigation water for an area in excess of one acre may pay a fixed amount as their replenishment assessment, in lieu of filing a sworn statement as to the production of ground water.

SEC. 38. Section 30 of said act is repealed.

SEC. 39. Section 30 is added to said act, to read:

Sec. 30. Upon good cause shown, an amended statement of water production may be filed or a correction of the records may be made at any time prior to the final date for filing the next semi-annual water production statement.

Any hearings or meetings held by said district or its board of directors as required by this act or in carrying out the provisions of this act may be continued or adjourned from time to time.

SEC. 40. Section 31 of said act is repealed.

SEC. 41. Section 31 is added to said act, to read:

Sec. 31. The district shall prepare each year a record called "The Record of Water Production" in which shall be noted the annual water production from each water producing facility within said district.

The district shall also prepare each year a record called "The Record of Replenishment Assessments and Charges" in which shall be entered each district assessment levy and charge, a general description of the property upon which each water producing facility is located and any identifying number or code which may be assigned to such facility.

SEC. 42. Section 32 of said act is repealed.

SEC. 43. Section 32 is added to said act, to read:

Sec. 32. The superior court of the county in which said district lies may issue a temporary restraining order upon the filing by said district with said court of a verified petition or complaint setting forth that the person named therein as defendant is the owner or operator of a water producing facility which has not been registered with the district or that such defendant is delinquent in the payment of a replenishment assessment. Such temporary restraining order shall be returnable to said court on or before 10 days after its issuance.

The court may issue and grant an injunction restraining and prohibiting the named defendant from the operation of any water producing facility when it is established by the preponderance of the evidence at a hearing that the defendant has failed to register such water producing facility with said district or that the defendant is delinquent in a replenishment assessment thereon. Such court may provide that the injunction so made and issued shall be stayed for a period not to exceed 10 days to permit the defendant to register the water producing facility or to pay the delinquent replenishment assessment.

Service of process is completed by posting a copy of the summons and complaint upon the water producing facility or the parcel of land upon which it is located and by personal service upon the named defendant.

The right to proceed for injunctive relief granted herein is an additional right to those which may be provided elsewhere in this act or otherwise allowed by law. The procedure provided in Part 2, Title 7, Chapter 3 of the Code of Civil Procedure regarding injunctions shall be followed except insofar as it may herein be otherwise provided. Said district shall not be required to provide an undertaking or bond as a condition to granting injunctive relief.

SEC. 44. Section 33 of said act is repealed.

SEC. 45. Section 33 is added to said act, to read:

Sec. 33. If said district has probable cause to believe that the production of water from any water producing facility is in excess of that disclosed by the sworn statements covering such water producing facility, or if no statements are filed covering any water producing facility, said district may cause an investigation and report to be made concerning the production of water from each such water producing facility. Said district may fix the amount of water production from any such water producing facility at an amount not to exceed the maximum production capacity of such water producing facility; provided, however, where a water measuring device is permanently attached thereto, the record of production as disclosed by such water measuring device shall be presumed to be accurate and the burden is upon said district to establish to the contrary.

After such determination has been made by said district, a written notice thereof shall be mailed to the person owning or operating such water producing facility at his address as shown by the district's records. Any such determination made by said district shall be conclusive on all persons having an interest in such water producing facility and the replenishment assessment interest and penalties thereon, payable in advance, unless such person files with the board of directors of said district within 10 days after the mailing of such notice a written protest setting forth the ground or grounds for protesting the amount of production so fixed. Upon the filing of such protest, said board of directors shall hold a hearing at which time the total amount of the water production and the replenishment assessment thereon shall be determined.



which shall be conclusive if based upon substantial evidence. A notice of such hearing shall be mailed to protestant at least 10 days before the date fixed for the hearing. Notice of the determination by said board of directors shall be mailed to each protestant who shall have 20 days from the date of mailing to pay the replenishment assessment, interest or penalties fixed by said board.

SEC. 46. Section 34 of said act is repealed.

SEC. 47. Section 34 is added to said act, to read:

Sec. 34. Said district may bring a suit in the court having jurisdiction against any owner or operator of a water producing facility within said district for the collection of any delinquent replenishment assessment. The court having jurisdiction of said suit may, in addition to allowing recovery of costs to said district as allowed by law, fix and allow as part of the judgment, interest and penalties as provided in Section 29. Should said district, as a provisional remedy in bringing such suit, seek an attachment against the property of any named defendant therein, said district shall not be required to provide a bond or undertaking as is otherwise provided for in the Code of Civil Procedure of the State of California in Part 2, Title 7, Chapter 4 thereof.

SEC. 48. Section 35 of said act is repealed.

SEC. 49. Section 35 is added to said act, to read:

The Board of Directors by resolution may extend the date from March 31, 1956, on a year to year basis upon its determination that availability, price of water measuring devices, or other circumstances justify such extension; provided further, however, that no extension may be made beyond March 31, 1960. Should said date be extended, notice thereof shall be given by publication in a newspaper of general circulation within said district once a week for two successive weeks to be completed not less than two months prior to said date.

This section is not applicable to owners or operators of water producing facilities having a discharge opening two inches or less in diameter and which do not provide domestic or irrigation water for an area in excess of one acre who pay, in accordance with district regulations a fixed charge in lieu of affixing a water measuring device.

It shall be unlawful to produce water from any water producing facility within the boundaries of the Orange County Water District from and after March 31, 1956, unless such water producing facility has been registered with said district and has a water measuring device affixed thereto capable of registering the accumulated amount of water produced therefrom.

Violation of this provision shall be punishable by a fine not to exceed five hundred dollars (\$500) or imprisonment in the county jail for not to exceed six (6) months or by both such fine and imprisonment. Each day of operation in violation hereof shall constitute a separate offense.

SEC. 50. Section 36 of said act is repealed.

SEC. 51. Section 36 is added to said act, to read:

Sec. 36. The district shall not be bound by any contract except as hereinafter provided unless the same shall be made in writing by resolution of the board of directors and properly executed by its officers who have been so authorized to do by said district. The approval of the form of all contracts shall be indorsed thereon by an attorney for said district.

Every expenditure by said district other than the purchase of water to replenish the ground water supplies therein, and in an amount in excess of five thousand dollars (\$5,000) shall be made by said district with the lowest and best bidder after the publication for at least two days in a newspaper of general circulation published within said district, of a notice calling for bids and fixing a period during which such bids will be received, which shall be not less than 10 days after the first publication of said notice. The district may reject any and all such bids presented and may re-advertise in its discretion. After rejecting such bids or if no bids are received, said district may determine and declare that in its opinion, based on estimates submitted by the engineer for said district, any work may be performed better or more economically by said district with its own employees, or after hiring additional employees; and after the adoption of a resolution to this effect by at least seven affirmative votes of the directors of said district, said district may proceed to have such work done in the manner stated and without further observance of the provisions of this section.

Expenditures, likewise, may be incurred or contracts let or work undertaken without advertising for bids if such work shall be deemed by said district to be of urgent necessity for the preservation of life, health or property and shall be authorized by a resolution passed by at least eight affirmative votes of the board of directors and containing a declaration of the facts constituting such urgency.

Any person or persons to whom a contract may be awarded shall enter into a bond, with good and sufficient sureties, to be approved by the board, payable to said district for its use, for at least 25 percent of the amount of the estimated contract price, conditioned for the faithful performance of said contract. The work shall be done under the direction and to the satisfaction of the engineer of said district, and be subject to approval by the board of directors of said district.

*SEC. 52. Section 38 of said act is repealed.*

*SEC. 53. Section 41 of said act is amended to read:*

Sec. 41. The board of directors or other officers of [the] said district shall have no power to incur any debt or liability whatever[, either by issuing bonds or otherwise,] in excess of the express provisions of this act; and any debt or liability incurred in excess of such express provisions shall be and remain absolutely void.

[Nothing contained in this section shall be construed as limiting the right of the board to enter into any contract or lease for any lands, water, water rights or other property as elsewhere in this act authorized and by said lease or contract to bind the district for the payment of the consideration specified in said lease or contract, but, except as hereinafter provided, if the smallest payment to be made under said lease or contract in any year exceeds an amount equal to one cent for each one hundred dollars or fraction thereof of the assessed valuation of property in the district assessable by said district, said lease or contract shall not be valid unless an assessment or assessments sufficient to meet all the payments to become due under said lease or contract shall have been or shall be authorized for that purpose by the qualified voters of said district in accordance with the provisions of this act; provided, that this limitation shall not apply to any contract or lease for the supplying of water to the district by a metropolitan water district organized under the Metropolitan Water District Act of this State, and, notwithstanding any other provision of this act, the board may enter into such contract or lease and thereby bind the district forthwith according to the terms and provisions of said contract or lease, and the provisions of Section 21 and Section 22 of this act shall not apply.]

*SEC. 54. Section 44 of said act is amended to read:*

Sec. 44. The board of directors may, at any time after the [voting of any bonds or] the levy of any assessment herein provided for, bring an action in the Superior Court of Orange County to determine the validity of any [said bonds or said levy of assessments] assessment; said action shall be in the nature of a proceeding in rem, and jurisdiction of all parties interested may be had in publication of summons for at least once a week for three weeks in some paper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings. Jurisdiction shall be complete within 10 days after the full publication of said summons in the manner herein provided. Anyone interested may at any time before the expiration of said 10 days appear and by proper proceedings contest the validity of said [bonds or] assessments. Said action shall be speedily tried and judgment rendered declaring the matter so contested either valid or invalid. Either party may have the right to appeal to the Supreme Court at any time within 30 days after the rendition of said judgment, which appeal must be heard and determined within three months from the time of taking such appeal.

*SEC. 55. Section 45 of said act is amended to read:*

Sec. 45. If no such proceedings shall have been brought by the board of directors, then, at any time within 30 days after the levy of any assessment [or voting of any bonds] under the provisions of this act, any district assessment payer may bring an action in the Superior Court of Orange County to determine the validity of said assessment [or said bonds]. The [board of directors] Orange County Water District shall be [made parties] named as a defendant, and service of summons shall be made on [the members of the board] such district by personally serving any officer of said district. Said [board] district shall have the right to appear and contest said action. Said action shall be speedily tried, and either party shall have the right to appeal within the time and manner herein provided in the case of actions brought by the board to determine such matters, and any such appeal shall be heard and determined in the manner and within the time herein provided in the case of appeals in such actions brought by the board.

*SEC. 56. Section 48 of said act is amended to read:*

Sec. 48. No contest of any thing or matter herein provided for shall be made other than within the time and manner herein specified, and in any such contest the findings of facts or conclusions of said board of directors, upon all matters, shall be conclusive, unless the action be instituted within six months after such findings or conclusion was made, except as otherwise provided in this act.

*SEC. 57. Section 50 of said act is amended to read:*

Sec. 50. The boundaries of [the] said district may be changed to include within [the] said district additional land whether contiguous or not as hereinafter in this act provided, and the inclusion within [the] said district of such lands shall be deemed to effect a change of the boundaries of said districts; but no change in the boundaries of [the] said district shall impair or affect its organization or its right in or to property, or any of its rights or privileges of whatever kind or nature, nor shall it affect, impair or discharge any contract, obligation, lien or charge for or upon which it was or might become liable or chargeable had such change of its boundaries not been made.

Whenever additional land is included within said district, whether contiguous or not, the inclusion may be upon such reasonable terms and conditions as said district determines, which may include reasonable limitations as to manner of use or quantity of water used upon the included land.

*SEC. 58. Section 51 of said act is amended to read:*

Sec. 51. The holder or holders of title, or a majority of the holders of title, of any tract or parcel of land contiguous or noncontiguous [adjacent] to the boundaries of [the] said district, and within the County of Orange, may file in the office of the board of directors of [the] said district, a petition praying that said tract or parcel of land be included within said district; provided, that if there is more than one holder of title of said land, the petitioners must include the holders of title of at least one-half of the area of said land. If any petitioner is the owner of an undivided interest in any land described in the petition, he shall be deemed to be the owner of such proportion of the area of the land in which he has an interest as his interest bears to the whole of such land. Each signature to such petition shall be acknowledged as provided by law for signatures to an instrument to entitle it to be recorded.

*SEC. 59. Section 64 of said act is amended to read:*

Sec. 64. In case land is included within the district as aforesaid, the board of directors thereof, not less than 30 days before any election in said district thereafter, shall re-establish the boundaries of the divisions and election precincts within said district, so as to include said land therein and so as to make said divisions as nearly equal in area as may be practicable. In case of the inclusion of any land less than 30 days before an election within said district, the inhabitants of the land so included shall not be entitled to vote at said election. *Such included land shall become part of existing divisions of said district and by inclusion of additional lands the number of the divisions of said district or the number of directors of said district shall not be changed.*

*SEC. 60. Section 68 of said act is amended to read:*

Sec. 68. The board of directors, at the time and place mentioned in the notice, or at the time or times to which the hearing of said petition may be adjourned, shall proceed to hear the petition, and all evidence or proofs that may or shall be introduced by or on behalf of the petitioner or petitioners, and all objections to such petition that may or shall be presented in writing by any person showing cause as aforesaid, and all evidence and proofs that may be introduced in support of such objections. The failure of any person interested in said district, [other than the holders of bonds thereof outstanding at the time of the filing of said petition with said board,] to show cause, in writing, why the tract or tracts of land mentioned in said petition should not be excluded from said district, shall be deemed and taken as an assent by him to the exclusion of such tract or tracts of land, or any part thereof, from said district; and the filing of such petition with said board, as aforesaid, shall be deemed and taken as an assent by each and all such petitioners to the exclusion from such district of the lands mentioned in the petition, or any part thereof. The expenses of giving said notice and of the aforesaid proceeding shall be paid by the person or persons filing such petition.

*SEC. 61. Section 69 of said act is amended to read:*

Sec. 69. If, upon the hearing of any such petition, no evidence or proofs in support thereof be introduced, or if the evidence fail to sustain said petition, or if the board deem it not for the best interest of the district that the lands, or some portion thereof, mentioned in the petition, should be excluded from the district, the board shall order that said petition be denied as to such lands; but if the said board deem it for the best interest of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district, and if no person interested in the district show cause in writing why the said lands or some portion thereof, should not be excluded from the district, or if, having shown cause, withdraws the same, or upon the hearing fails to establish such objections as he may have made, then it shall be the duty of the board to, and it shall forthwith, make an order that the lands mentioned and described in the petition, or some defined portion thereof, be excluded from said district; provided, that it shall be the duty of said board to order, upon petition therefor as aforesaid, that all lands so petitioned to be excluded from said district shall be excluded therefrom which in the judgment of the board will not be benefited by the operations of the district. [Whenever lands included in any municipal corporation use water from a source or sources outside the watershed of the Santa Ana River or outside the underground water basin or basins fed by the Santa Ana River, the board of directors may consider such use as grounds for excluding said lands from the district in a proceeding for exclusion instituted in accordance with Section 66 hereof.]

*SEC. 62. Section 70 of said act is repealed.*

*SEC. 63. Section 74 of said act is amended to read:*

Sec. 74. Nothing in this act provided shall, in any manner, operate to release any of the lands so excluded from the district from any obligation to pay, or any lien thereon [of any valid outstanding bonds or other indebtedness of the district] at the time of the filing of said petition for the exclusion of said lands, but upon the contrary, said lands shall be held subject to said lien and answerable and chargeable for and with the payment and discharge of all of said outstanding obligations at the time of the filing of the petition for the exclusion of said land, as fully as though said petition for such exclusion were never filed and said order or decree of exclusion never made; and for the purpose of discharging such outstanding indebtedness, said lands so excluded shall be deemed and considered as part of the district the same as though said petition for its



exclusion had never been filed or said decree of execution never made; and all provisions which may have been resorted to to compel the payment by said lands of its quota or portion of said outstanding obligations, had said exclusion never been accomplished, may, notwithstanding said exclusion, be resorted to to compel and enforce the payment on the part of said lands of its quota and portion of said outstanding obligations of the district for which it is liable, as herein provided. But said land so excluded shall not be held answerable or chargeable for any obligation of any nature or kind whatever, incurred after the filing with the board of directors of the district of the petition for the exclusion of said lands from the district; provided that the provisions of this section shall not apply to any outstanding bonds, the holders of which have assented to the exclusion of such lands from the district, as heretofore provided. Provided further, that if within ten days of the time of any order excluding any lands from the district, other lands of equal or greater assessable value, have been included within the district, such excluded lands shall no longer be subject to further assessment by the district, except in the event of proceedings on behalf of the bondholders to enforce the payment of said excluded lands of their pro rata share of any principal or interest due and unpaid on the district's bonded indebtedness incurred while such excluded lands were part of the district]."

#### Amendment No. 3

On page 1 of said bill, strike out lines 1 to 27, inclusive, and strike out the balance of the bill.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 996

Senator Tenney moved that Senate Bill No. 996 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 996**—An act to create a court service division of the municipal court of the judicial district embracing the City of Los Angeles, and providing for the establishment of court service divisions in the municipal courts of Los Angeles County.

Bill read second time.

#### Motion to Amend

Senator Tenney moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, before "judicial", insert "Los Angeles".

#### Amendment No. 2

In line 2 of the title of said bill, strike out "embracing the City of Los Angeles".

#### Amendment No. 3

On page 1, line 2, of said bill, after "court", strike out "in", and insert "of".

#### Amendment No. 4

On page 1, line 3, of said bill, before "judicial", insert "Los Angeles".

#### Amendment No. 5

On page 1, line 3, of said bill, strike out "embracing the City of Los Angeles".

#### Amendment No. 6

On page 1, line 4, of said bill, after "established", insert "as a separate and independent organization,".

#### Amendment No. 7

On page 1, line 7, of said bill, strike out "is", and insert "shall be".

#### Amendment No. 8

On page 1, line 7, of said bill, after "superintendent", insert "who shall receive one thousand dollars (\$1,000) monthly and".



**Amendment No. 9**

On page 1, line 16, of said bill, after "Angeles", insert "and who also was on said date in charge of the bailiffs of the municipal courts of the Los Angeles Judicial District".

**Amendment No. 10**

On page 1, line 16, of said bill, before "court", insert "said".

**Amendment No. 11**

On page 2 of said bill, strike out line 1, and insert

"(a) Serve all civil warrants; and criminal warrants when ordered by a judge of said court."

**Amendment No. 12**

On page 2 of said bill, between lines 6 and 7, insert

"(g) Perform any and all other official duties when and as lawfully ordered by a judge or judges of said court."

**Amendment No. 13**

On page 2, line 11, of said bill, after "court" insert ", and his deputies or attaches".

**Amendment No. 14**

On page 2, line 35, of said bill, after "marshals" insert "of the County of Los Angeles".

**Amendment No. 15**

On page 2 of said bill, strike out lines 36 and 37, and insert "have the power also to appoint other persons to any of such positions."

**Amendment No. 16**

On page 2 of said bill, between lines 44 and 45, insert

"If the person appointed is the superintendent of court service or is appointed by the superintendent to a position named in this act and such person has had prior service in any department of the County of Los Angeles or in any court in the County of Los Angeles he shall have preserved to him in the new position all rights which have accrued for prior service and retirement benefits and all privileges which have accrued to him in such former service or by reason of such former service.

The superintendent of court service shall have power to suspend or discharge any deputy or attache for dishonesty, incompetence or insubordination and shall have the right to suspend without pay any deputy or attache during the pendency of any civil service hearing relating to such suspension or discharge."

**Amendment No. 17**

On page 2 of said bill, strike out lines 45 to 50, inclusive, and insert

"Sec. 2. Any municipal court in Los Angeles County, other than the Municipal Court of the Los Angeles Judicial District, may create a court service division for that judicial district in the manner following:

Upon the adoption of a resolution by a majority of the judges of said court, at any time after the effective date of this act, there shall be created thereby a court service division of said court, and upon the adoption of such resolution the court service division shall become established separate and apart from the marshal's office of the County of Los Angeles or of such judicial district.

Such resolution shall include the selection and appointment, from among the deputy marshals of the County of Los Angeles, of such person or persons to act as court service officers of said court as may be reasonably necessary for the proper operation of such court. Such resolution may also provide for one of such persons to become superintendent of such court service division.

Upon the passage of such resolution, each of said deputy marshals so selected and appointed shall cease to be such, and shall thereupon become court service officers of said court, each of which positions is hereby created as a separate, new and distinct office of said court. Upon such appointment, by the resolution as aforesaid, each of said court service officers shall receive monthly the same salary as he was entitled to receive as a deputy marshal, County of Los Angeles, upon the effective date of this act.

Upon the creation of a court service division by resolution as in this section provided, by any municipal court of any judicial district in the County of Los Angeles, the powers, duties, rights, privileges and responsibilities of each court service officer so appointed therein, and the superintendent thereof, if any, shall be the same, within such judicial district, as all of those prescribed in Section 1 of this act for court service officers in the Municipal Court of the Los Angeles Judicial District, except salaries."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 173**

Senator Murdy moved that Senate Bill No. 173 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 173**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Bill read second time.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "A", and insert "Any".

**Amendment No. 2**

On page 1 of said bill, after line 32, insert

"(g) Any person buying or otherwise acquiring possession of farm products from a nonprofit cooperative association to which any provision of subdivision (a) of this section is applicable."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**MOTION TO PRINT OPINION OF LEGISLATIVE COUNSEL**

Senator Murdy moved that the following Opinion of the Legislative Counsel concerning Civil Rights be printed in the Journal.

Motion carried.

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, March 7, 1953

*Hon. John A. Murdy, Jr.*  
*Senate Chamber*

Civil Rights—No. 6488

DEAR SENATOR MURDY:

*Question*

You ask us to discuss the effect which Senate Constitutional Amendment No. 21 would have on civil rights, if adopted by the Legislature and by the people.

*Opinion*

Senate Constitutional Amendment No. 21 would modify the general language of Section 1 of Article I of the California Constitution by adding new guarantees of "inalienable rights." While it is not possible to accurately forecast the full effect of this language, we do not think it will be interpreted by the courts in such a manner as to prevent or invalidate state legislation such as Civil Code Sections 51 through 54, or comparable provisions relating to civil rights.

*Analysis*

The measure would amend Section 1 of Article I of the Constitution to read as quoted below by adding to the existing provisions the language underlined:

"All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending

life and liberty; choice of associates, customers, tenants and employees; acquiring, possessing, disposing, and protecting property; and pursuing and obtaining safety and happiness."

This section has remained in its original form since 1849 and has sometimes been regarded as merely a general statement of the principles of our form of government. Thus, in *Manford v. Singh* (1919), 40 Cal. App. 700, 701, the court said:

"... It is manifest, though, that as far as any substantial right or privilege of the citizen is concerned and the protection which must be accorded to it by the law, said provision of the State Constitution prescribes nothing that is not comprehended by said [14th Amendment] section of the Federal Constitution. Of course, the sonorous phrasing of the inalienable rights of the individual in said section is felicitous and impressive, but it effects in no degree an enlargement or abridgment of the civil immunities of the citizen, nor does it operate to limit or increase the authority of the legislative department of the state government."

Upon occasion, however, the courts have used this section as the basis for recognizing enforceable rights not otherwise provided in the law, as for example, the right of privacy. (See *Melvin v. Reid* (1931), 112 Cal. App. 285.) The amendments to be made by S.C.A. 21, because they add new concepts to the traditional language, are susceptible to being construed as creating new guarantees having effect of their own force, whether or not implementing legislation is passed concerning them. The question, then, is the extent to which such new guarantees of rights would conflict with what we know generally as "civil rights."

The term "civil rights" is susceptible of a number of definitions. In its broadest aspect it has been said to include all of the "ordinary individual rights assured to every member of a well-regulated community" (10 Am. Jur. 894). The term is most often used today, however, in relation to the "particular guarantees of civil rights contained in State and Federal Constitutions and statutes which protect persons against discriminatory legislation or discriminatory treatment by reason of race, color, or previous condition of servitude" (10 Am. Jur. 894). It is in this more restricted sense that we discuss your question concerning the possible effects of S.C.A. 21 on civil rights.

In discussing this question it should first be noted that no amendment to the California Constitution can interfere with those civil rights protected under the Federal Constitution and statutes, which documents constitute the "supreme law of the land" (U. S. Const., Art. VI, Sec. 2; 5 Cal. Jur. 567). Since the "due process" and "equal protection" clauses of the Fourteenth Amendment to the United States Constitution are binding upon the states, it is clear that the major provisions guaranteeing civil rights, which are to be found there, would not be restricted by the proposed amendment to the California Constitution.

The second point to be noted is that the addition of new provisions to the California Constitution will not operate to repeal existing provisions of that document unless an irreconcilable conflict is presented. If two provisions can be read together and reconciled so as to give effect to both, the courts will so interpret them (*People v. Zolotoff* (1941), 48 C.A. 2d 360, 364; *Sevier v. Riley* (1926), 198 Cal. 170, 176; 5 Cal. Jur.



583). It follows, therefore, that those provisions of the California Constitution which confer civil rights will continue to be effective unless irreconcilable conflict exists between them and the new language to be added to Section 1 of Article I. (See, for example, the "Declaration of Rights" contained in Article I of the California Constitution.) While there appears to be no irreconcilable conflict between the new guarantees proposed to be added by S.C.A. 21 and other provisions of the Constitution we believe it is true of constitutional provisions as well as statutes, that the test of any provision is what may reasonably be done under its authority (*Abbott v. McNutt* 218 Cal. 225). We do not believe it is possible to foresee all the types of statutes which might be enacted pursuant to this proposed constitutional provision, or the types of cases to which that provision or such statutes might be applied. In the absence of some specific problem arising under these constitutional provisions we find it impossible to offer any conclusion as to whether an irreconcilable conflict may be discovered between the rights guaranteed by S.C.A. 21 and rights guaranteed by other provisions of the Constitution.

Finally, it may be argued in future cases that the addition of this language to the California Constitution invalidated existing California legislation in the field of "civil rights" and restricted the power of the Legislature to enact similar statutes. For example, Sections 51 through 54 of our Civil Code, which are generally called "civil rights" statutes (5 Cal. Jur. 130), guarantee equality in securing admission to certain places of public accommodation or amusement. As an illustration of this entire problem, it could be argued in a future case that the language added by S. C. A. 21 with respect to "choice of customers" would invalidate existing legislation designed to require proprietors of such public places to grant admission without discrimination.

Our courts have heretofore pointed out that Section 1 of Article I does not confer absolute rights, and that these "inalienable rights" are subject to regulation and restriction through the exercise of the police power of the State, including the kind of regulation found in our California civil rights statutes (*Greenberg v. Western Turf Assn.* (1905), 148 Cal. 126, 128; aff'd 204 U. S. 359). In many other instances the courts have rejected the claim that rights under this section prevent an exercise of the taxing or police power of the State (5 Cal. Jur. 728-732). We believe, therefore, that any new guarantees created under S. C. A. 21 would be subject to similar legislative regulation in the public interest. In view of the well-established federal and state policy of guaranteeing equality of treatment to all citizens (see *James v. Marinship Corp.* (1944), 25 Cal. 2d 721, 740), we incline to the view that the California civil rights statutes embodied in Civil Code Sections 51 through 54, and other similar statutes, would continue to be operative as reasonable regulations of individual rights justified under the police power, notwithstanding the language proposed to be added to Section 1 of Article I by S. C. A. 21.

Very truly yours,

RALPH N. KLEPS  
Legislative Counsel  
By A. C. MORRISON, Deputy

Two copies to Honorable Jack B. Tenney, pursuant to Joint Rule 34.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1806**

Senator Harold T. Johnson moved that Senate Bill No. 1806 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1806**—An act to amend Section 8809 of the Streets and Highways Code, relating to improvement bonds.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "or", and insert "and also".

**Amendment No. 2**

On page 1, line 14, of said bill, after "property", insert "in any one year".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1923**

Senator Harold T. Johnson moved that Senate Bill No. 1923 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1923**—An act to amend Sections 5391 and 5392 of the Streets and Highways Code, relating to improvements.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 5022.5 to,".

**Amendment No. 2**

On page 1, line 12, of said bill, strike out "need", and insert "can".

**Amendment No. 3**

On page 1, line 13, of said bill, after "statement", insert ", as to any assessment which is to be represented by a bond".

**Amendment No. 4**

On page 1, line 18, of said bill, after the second comma, insert "as to unpaid assessments which are not to be represented by bonds,".

**Amendment No. 5**

On page 1 of said bill, after line 24, insert

"SEC. 3. Section 5022.5 of said code is added, to read:  
5022.5. "Lot", "portion of lot", "land", "piece", or "parcel of land", whether used singly or in combination, shall mean, for purposes of spreading assessments and calculating benefits, any contiguous real property under the same ownership as shown by conveyances of record in the office of the county recorder of the county in which the property is situated, whether consisting of unsubdivided land or land subdivided into blocks or lots and blocks. The superintendent of streets may, if requested by the

owner, make separate assessments against each lot or portion of a lot in a recorded subdivision or as shown on a surveyor's map, recorded in accordance with the provisions of the Business and Professions Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1787

Senator Gibson moved that Senate Bill No. 1787 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1787**—An act appropriating money to continue the preliminary studies and plans with respect to the proposed Carquinez Bridge.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "State Highway Fund," and insert "General Fund in the State Treasury,".

##### Amendment No. 2

On page 1, of said bill, strike out lines 11 to 15, inclusive, and insert "nection there-with. The California Toll Bridge Authority shall return".

##### Amendment No. 3

On page 1, line 20, of said bill, strike out "State Highway Fund", and insert "General Fund".

##### Amendment No. 4

On page 1, line 27, of said bill, strike out "State Highway Fund", and insert "General Fund".

##### Amendment No. 5

On page 2 of said bill, strike out lines 7 to 10, inclusive, and insert "presently required by law to be repaid to the General Fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1224

Senator Byrne moved that Senate Bill No. 1224 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1224**—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

##### Motion to Amend

Senator Byrne moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 4, of the printed bill, after the second "the", insert "city council of the".

**Amendment No. 2**

On page 1, line 4, of said bill, after "Folsom", insert "a portion of".

**Amendment No. 3**

On page 1, line 6, of said bill, strike out the comma after "Prison" and strike out "or particularly"; and strike out all of line 7, and insert ". The land to be sold as provided for herein is particularly described as follows:".

**Amendment No. 4**

On page 1 of said bill, strike out lines 8 to 27, inclusive, and insert

"All that portion of that certain tract of land designated as 'Natoma Purchase' on the 'Plat of Subdivision of the Rancho Rio De Los Americanos' recorded on April 6, 1866 in Book 1 of Maps, Map No. 2, official record of Sacramento County, described as follows: Commencing at a point located at the intersection of the northerly boundary line of the so-called Mormon Island Road where said boundary line intersects the northeasterly boundary line of the Town of Folsom as said northeasterly boundary line of the Town of Folsom is shown and delineated on the official 'Map of the Town of Folsom' made by Theodore Judah and filed and recorded in the office of the County Recorder of Sacramento County on December 27, 1855, in Book 1 of Maps, Map No. 7, thence from said point running along the northerly boundary line of said Mormon Island Road north 53°-12' east 737.1 feet, north 57°-05½' east 30.0 feet, north 59°-56' east 190.0 feet to a point in the northerly boundary line of said Mormon Island Road, the point of beginning; thence from said point of beginning along the following courses and distances north 35°-0' west a distance of 470.8 feet to a point; thence from said point south 53°-12' west a distance of 260.0 feet to a point; thence from said point north 36°-48' west a distance of 1,130.0 feet to a point on the southerly boundary line of that certain property owned by the Pacific Gas and Electric Company, a corporation; thence from said point and along the said southerly boundary line of Pacific Gas and Electric Company property the following courses and distances north 45°-26½' east a distance of 168.8 feet, thence north 32°-11' east a distance of 185.9 feet, thence north 26°-23½' east a distance of 240.0 feet to a point on the aforesaid southerly boundary line of Pacific Gas and Electric Company property; thence from said point south 35°-39' east a distance of 1,830.89 feet to a point on the northerly boundary line of the Mormon Island Road; thence from said point south 59°-56' west a distance of 275.0 feet to the point of beginning, said tract of land containing 17.99 acres more or less."

Amendments read and adopted.

Bill ordered printed and re-referred to Committee on Governmental Efficiency.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 41  
Assembly Bill No. 490  
Assembly Bill No. 600  
Assembly Bill No. 603  
Assembly Bill No. 605  
Assembly Bill No. 1263

Assembly Bill No. 1896  
Assembly Bill No. 1955  
Assembly Bill No. 1966  
Assembly Bill No. 1967  
Assembly Bill No. 2150

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK R. MURPHY, Assistant Clerk

Senator McBride Presiding

At 4 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 41**—An act to amend Section 2005 of the Welfare and Institutions Code, to repeal Section 2183.9 of said code, and to add Section 2183.9 to said code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 490**—An act to amend Section 373 of the Elections Code, relating to indices of registration, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

**Assembly Bill No. 600**—An act to amend Section 661 of the Agricultural Code, relating to license fees for frozen dairy products and imitations thereof.

Referred to Committee on Agriculture.

**Assembly Bill No. 603**—An act to add Section 347 to the Agricultural Code, relating to livestock and poultry disease diagnostic laboratories.

Referred to Committee on Agriculture.

**Assembly Bill No. 605**—An act to amend Section 4828 of the Business and Professions Code, relating to license to practice veterinary medicine; declaring the urgency of this act, to take effect immediately.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1263**—An act to amend Sections 10050, 10052 and 10054 of, and to repeal Sections 10051 and 10052 of, the Health and Safety Code, relating to viral records and public health.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1896**—An act to codify Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, relating to the selection and acquisition by the State of real property for use in furtherance of the postwar construction program, by adding Part 11, comprising Sections 15850 to 15860, inclusive, to Division 3, Title 2 of the Government Code, and repealing Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, and making an appropriation.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1955**—An act to add Section 243a to the Penal Code, relating to offenses against reporters, newsmasters and photographers.

Referred to Committee on Judiciary.

**Assembly Bill No. 1966**—An act to amend Section 2843 of the Elections Code, relating to state and county central committees.

Referred to Committee on Elections.

**Assembly Bill No. 1967**—An act to amend Section 1702 of the Elections Code, and to add Section 34701.1 to the Government Code, relating to petitions for dissolution or reincorporation of cities or cities and counties.

Referred to Committee on Local Government.

**Assembly Bill No. 2150**—An act to amend Sections 2 and 3 of an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof," Chapter 414, Statutes 1949, as amended, relating



to the acceptance and use of such trust asset funds, declaring the urgency thereof to take effect immediately.

Referred to Committee on Agriculture.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 194

Senate Bill No. 1132

Senate Bill No. 254

Senate Bill No. 1295

Senate Bill No. 700

Senate Bill No. 1776

Senate Bill No. 701

Senate Bill No. 1777

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 49

Senate Bill No. 1218

Senate Bill No. 1085

Senate Bill No. 1754

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 263

Senate Bill No. 541

Senate Bill No. 285

Senate Bill No. 684

Senate Concurrent Resolution No. 34

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 38—Relative to approving a certain amendment to the charter of the City of Santa Clara, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1952;

Senate Concurrent Resolution No. 39—Relative to the death of Clifford E. Peterson;

Senate Concurrent Resolution No. 41—Relative to the death of Robert M. Searls;

Senate Joint Resolution No. 19—Concerning the restoration to Congress of the fixing of tariffs;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the ninth day of March, 1953, at 2.30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 42—Relative to the passing of Raymond V. Darby;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of March, 1953, at 3 p.m.

POWERS, Chairman

### Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1553

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 1125

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1026

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1646

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 9, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 569

Senate Bill No. 326

Senate Bill No. 754

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1446

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7, noes 2.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 686

Has had the same under consideration, and reports the same back with the recommendation: Re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; noes 2.

DORSEY, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:  
Senate Bill No. 305

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; noes 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:  
Senate Bill No. 1538  
Assembly Bill No. 1166

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

DORSEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:  
Assembly Bill No. 311

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; noes 1; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:  
Senate Bill No. 1134  
Senate Bill No. 1449

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 9.

DORSEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:  
Senate Bill No. 1369  
Senate Bill No. 1448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

DORSEY, Chairman

Above reported bills ordered to second reading.

## Committee on Judiciary

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:  
Senate Bill No. 1062

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered :

**Senate Concurrent Resolution No. 43:** By Senators Breed, Sutton, Hoffman, Dorsey, Busch, Berry, Tenney, McCarthy, Dilworth, Cunningham, Erhart, and Thompson—Relative to reports of the department encampments or conventions of the United Spanish-American War Veterans.

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 44:** By Senators Sutton, Hoffman, Dorsey, Dilworth, Busch, Berry, Tenney, Cunningham, McCarthy, Erhart, and Thompson—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 45:** By Senators Sutton, Hoffman, Dorsey, Busch, Berry, Tenney, McCarthy, Dilworth, Cunningham, Erhart, and Thompson—Relative to reports of the annual conventions of the American Legion.

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 46:** By Senators Sutton, Hoffman, Dorsey, Busch, Berry, Tenney, McCarthy, Dilworth, Cunningham, Erhart, and Thompson—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 47:** By Senators Sutton, Hoffman, Busch, Berry, Tenney, McCarthy, Dorsey, Dilworth, Thompson, Cunningham, and Erhart—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Referred to Committee on Military and Veterans Affairs.

**Senate Concurrent Resolution No. 48:** By Senator Hulse—Relative to administration of the Unemployment Insurance Act.

Referred to Committee on Agriculture.

**RESOLUTIONS**

The following resolution was offered :

By Senator Busch :

**Senate Resolution No. 77**

Relating to the continuance of the Senate Interim Judiciary Committee

*Resolved by the Senate of the State of California, As follows :*

1. The Senate Interim Judiciary Committee created by Senate Resolution No. 200 at the 1951 Regular Session is continued as a Senate committee at this regular session, with the members and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report no later than the final legislative day.

3. The provisions of the joint rules of the Senate and Assembly and of the standing rules of the Senate are applicable to this committee and its members.



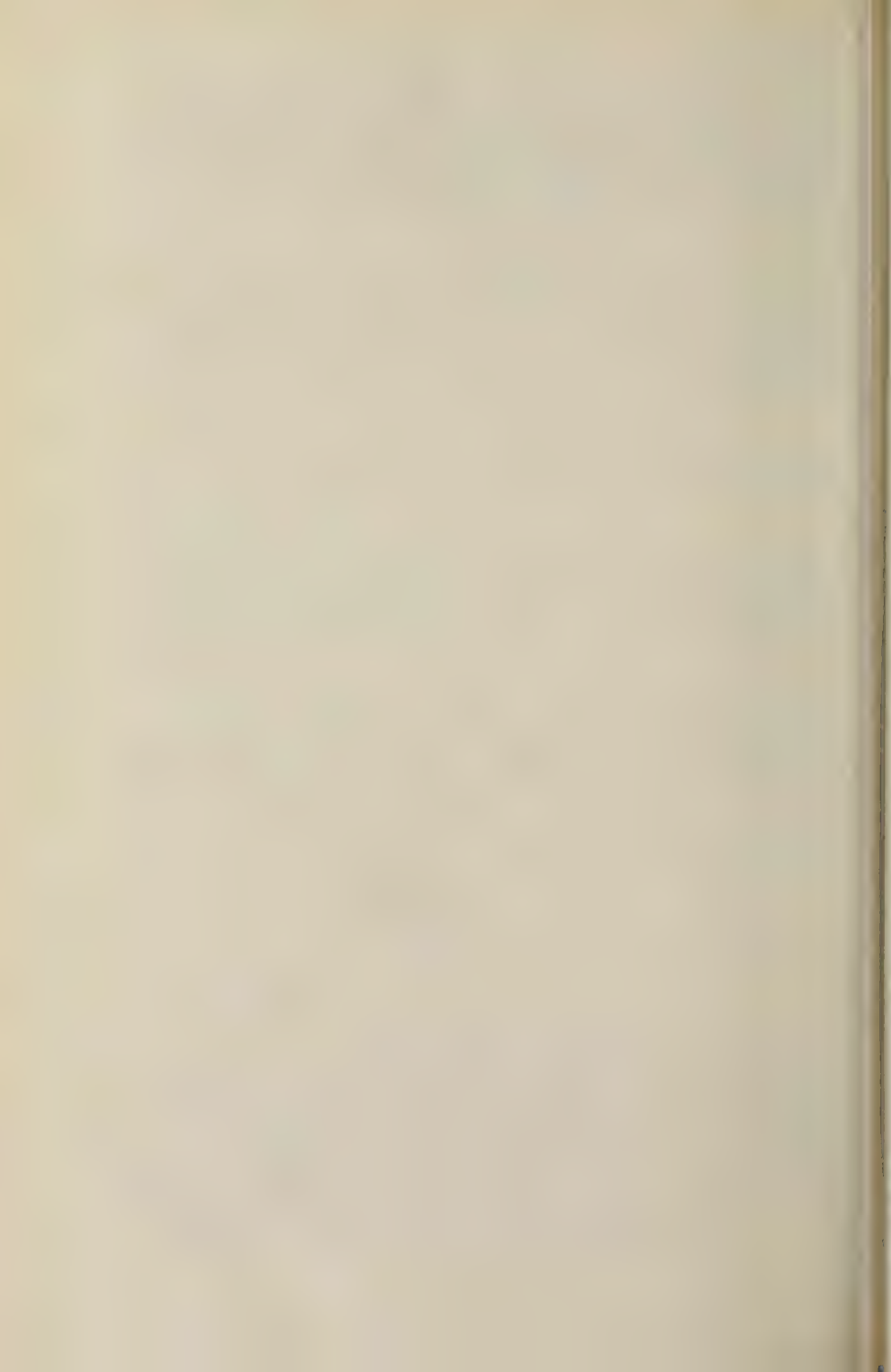
4. The unexpended balance of the money heretofore allocated to the aforesaid committee from the Contingent Fund of the Senate shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims which may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the Chairman of the Committee, upon warrants drawn by the State Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

#### ADJOURNMENT

At 4.05 p.m., on motion of Senator Cunningham, the President declared the Senate adjourned until 2 p.m., Wednesday, March 11, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-THIRD LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Wednesday, March 11, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Coombs, on motion of Senator Powers, due to legislative business.

Senator Donnelly, on motion of Senator Powers, due to illness.

Senator Mayo, on motion of Senator Powers, due to illness.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Ward, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred J. Moore, County Clerk of Humboldt County and Warren K. Brown, Secretary of the Public Utilities Commission of California.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Craemer,

former Member of Assembly from San Diego; and Mrs. J. C. Clark and Mrs. Keith Marcus of Oceanside.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. H. F. Ransford, U. S. N., Commanding Officer, U. S. Naval Station, Port Hueneme.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Barnett and Fred Gardner, teachers, and the following students of the Yuba City High School: Burke Adams, Joan Alameda, Joan Baker, Betty Brannan, Roland Brockman, Joy Cox, LaVonne DeGiovanni, Edward Eden, Lucille Gonzales, Barbara Graham, Dan Goddard, James Edward Hancock, Damarice Heath, Fred Hendrix, Shirlie Hesket, Millicent Hodgkin, Weaver Knight, Verna Kuster, Patti Lang, Shirley Lewis, Peggy McClintock, Meris Minshall, Suzanne Montna, Kimberly Mosier, Martin Newkom, Natalie Newsome, James Parrish, Charlotte Paxton, Terry Prindiville, Darlene Randall, Marijane Robey, Duane Rose, Isabel Singh, Jacquelyn Spratt, Colleen Stevenson, Sakaye Takabayshi, Mike Tower, Wayne Yeoman, Naomi Young, Frank Aidnik, Carol Ariyama, Nancy Baker, Patsy Best, Jacqueline Boyd, Emmett Brandt, Marylou Coomes, Donald Crouch, Harold Cullens, Jerry Cunningham, Jimmy Eakes, Sandra Emerson, Jerry Hawkins, Bobby Jean Murphy, Stephanie Johnson, Sparky Kirby, Tom Nakagawa, Carma Matthews, Charles Messiek, Allen Mitchell, Okano Kango, Mike Robinson, Geneva Rose, Donna Shidler, Peggy Shinn, Robert Smith, William Smith, Mike Spencer, Kenneth Stephenson, Richard Stevenson, Stuart Thompson, Lily Uyemoto, Sally Fesmire, Nona Hewitt, Dick Teesdale, and Dave Resch.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leo D. Rapp, County Auditor of Kern County.

On request of Senators Tenney and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. West Wuichet of Los Altos.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Crawford of Palo Alto and Mayor and Mrs. C. K. Gamble, of Los Gatos.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willard W. Roulsten, principal, and the following students of the Hedger Elementary School: Dorothy Armocido, Beverly Sorenson, Doris Sorenson, Frank Blakeman, Kenneth Altie, Charles Epperson, Michael Eisenhower, Delbert Gerber, Dennis Stark, Patrick Salisbury; North Butte School: John DeRee, Tony Neves, and Jerry Jones.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. L. (Les) Brown, County Clerk of Fresno County.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Verne W. Hoffman and Mrs. Marolyn Stanley, daughter, of Sausalito.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Lloyd, building principal, Walt Taylor, and Lou Steiman, teachers, and the



following students of the Live Oak Elementary School: Eighth Grade Class—Rosemary Ames, Norma Baggett, Darlene Boone, Vina Brock, Phillip Butler, Mary Calvert, Otto Crum, Jackson Dansie, Janet Early, Darrell Farmer, Alta Fulton, Georgia Gooch, James Harris, Gerald Hartman, Harlan Hodge, Raymond Jean, Barbara Kersey, Bobby Kersey, Carol Lillard, Marie Long, Donald Lyons, Buddy Menth, Alice Miles, Calvin Miles, Gwendolyn Miles, Jimmy Morris, Glenn Murphy, Lequetta Norred, Joyce Roberts, Vernon Roberts, Robert Sanders, Clara Self, Helen Shulanberger, Glenda Sims, Ernestine Smith, Ernie Smith, Bill Vanderploeg, Lester Wells, Bonnie Widener, Eugene Wolfe, and James Wright.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to I. Crookshanks of Visalia.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. D. Kremer and Mayor G. E. McQuatters of San Bernardino.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. Warren Billings, Councilman, City of South Pasadena.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Paul Huff of Santa Ana, and Norman Miller, Mayor of Newport Beach.

On request of Senators Hatfield and Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John R. Quinn, County Assessor of Los Angeles.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary Jane Marsh and her daughters, Sondra Sue and Jonelle.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elmarie H. Dyke of Pacific Grove, Mrs. Doris Treat Daley of Stockton, Mrs. Genevieve H. Didion of Sacramento, and Mr. Arthur Johanne Bass of Stockton.

On request of Senators Donnelly and Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Advisor Jack W. Lytton and the following students of the Denair High School: Dorothy Agee, Robert Boner, Wayne J. Haile, David M. Muller, Gerald Murphy, Richard A. Nelson, Marilyn Norton, Gail Norvell, Nawana Richey, Donna Natcher, Merel Thornton, Eleanor Walton, Beatrice Callahan, and Lorene Norton.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Vejby and Mr. Clark, teachers, and Mrs. Vinson, parent, and the following students of the Washington Manor School: Judy Allen, Patricia Conway, Patrick de la Torre, Marilyn Edgar, Merle Ann Fischer, Beverly Glink, Patricia Hanselman, Dennis Hinze, Jean Lenzi, Connie Jo Lill, Paul Martin, Marjorie Mendes, Noreen Morgan, Helen Reed, Janice Salvatori, Diana Stuart, Perry Sylvia, Gail Williams, Kathleen Alston, Bruce Cook, David Dinkuhn, Ross Elmore, Ann Furlong, Donald Hall, Patricia Hightower, June Jewett, Ronald Lewis, Ronald Loustau, Susan McGraw,

Mary Miller, Jared Peterson, Joel Reichert, Jo Anne Shaw, Richard Suico, Frank Wandell, and Diane Willis.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Boynton, teacher, and the following students of the Edendale School, San Lorenzo School District: Donald Alameda, Dennis Banford, Sidney Cherenkoff, David Coughlan, David Health, Akinobu Kuromoto, Robert Leite, David Morrow, Luciano Packeco, Richard Roblyer, Jerry Pool, James Seaver, Robert Whalen, Sandra Cardosa, Audrey Coburn, Carolyn Cox, Dorothy Cuenca, Sharon DeLong, Sandra Dugan, Marlene Hanner, Gloria Hopkins, Connie King, Joyce Moniz, Diane Oschegger, Vaughn Palmer, Mary Perez, Cynthia Rainey, Judith Reddell, Gloria Roberson, and Diane Suthard.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George C. DeLury, Jr., County Clerk of Mono County.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 8

Senate Joint Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1321

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY, CALIFORNIA LEGISLATURE

March 11, 1953

*Mr. Joseph A. Beek  
Secretary of Senate  
State Capitol  
Sacramento, California*

DEAR MR. BEEK: Senate Bill No. 658 is being returned to the Senate pursuant to your request.

Very truly yours,

ARTHUR A. OHNIMUS

Senate Bill No. 658 ordered placed on the inactive file.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 147

Senate Bill No. 209

Senate Bill No. 503

And reports the same correctly re-engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 385

Senate Bill No. 386

Senate Bill No. 387

Senate Bill No. 388

Senate Bill No. 389

Senate Bill No. 390

Senate Bill No. 391

Senate Bill No. 521

Senate Concurrent Resolution No. 24

Senate Bill No. 682

Senate Bill No. 683

Senate Bill No. 752

Senate Bill No. 753

Senate Bill No. 1320

Senate Bill No. 1561

Senate Bill No. 1632

Senate Bill No. 1645

And reports the same correctly engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 262

And reports the same correctly re-engrossed.

POWERS, Chairman

## Committee on Water Resources

## SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT : The Committee on Water Resources, to which was referred :

Senate Joint Resolution No. 22

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, be adopted as amended.

Committee membership 11; committee vote : Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported resolution ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT : The Committee on Water Resources, to which was referred :

Senate Bill No. 751

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 11; committee vote : Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

## PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented :

By Senator Tenney :

## Request for Permission to Introduce a Bill

## SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT : In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act to add Chapter 4 to Division 17 of the Streets and Highways Code, creating the California State Toll Road Authority and defining its powers and duties; authorizing the issuance of revenue bonds to provide funds for the purposes of the chapter, and providing for the repayment of the principal and interest on said bonds; authorizing the acquisition of property for, and the construction, reconstruction, improvement, maintenance, and operation of, certain state toll roads; and making an appropriation.

Respectfully submitted,

SENATOR JACK B. TENNEY

## Recommendation of Committee on Rules

## SENATE CHAMBER, SACRAMENTO, March 11, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Way, Weybret, and Williams—30.

**NOES**—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time :

**Senate Bill No. 1943:** By Senator Tenney—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, creating the California State Toll Road Authority and defining its powers and duties; authorizing the issuance of revenue bonds to provide funds for the purposes of the chapter, and providing for the repayment of the principal and interest on said bonds; authorizing the acquisition of property for, and the construction, reconstruction, improvement, maintenance, and operation of, certain state toll roads; and making an appropriation.

Referred to Committee on Transportation.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 10, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

**RICHARD S. KEARNS**, a resident of Sutter Creek; lumber company executive; Member of the South Sierra Forest Practice Committee;

to the State Board of Forestry (representing pine producing industry), vice Kenneth Walker, term expired, for the term prescribed by law, ending January 15, 1957.

Respectfully,

**EARL WARREN**, Governor

Message read, and referred to Committee on Rules.

#### RECESS

At 2.45 p.m., on motion of Senator Desmond, the Senate recessed to permit Senator Desmond to introduce the following distinguished guests:

Mrs. Elmarie H. Dyke, Grand President of the Native Daughters of the Golden West.

Mrs. Doris Treat Daley, State Legislative Chairman and Past Grand President of the Native Daughters of the Golden West.

Mrs. Genevieve H. Didion, State Chairman of Civic Participation of the Native Daughters of the Golden West and also member of the Sacramento City Board of Education.

Mrs. Dyke addressed the Senate briefly.

#### REASSEMBLED

At 2.50 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.



**CONSIDERATION OF DAILY FILE  
MOTIONS TO RECONSIDER**

**Senate Bill No. 502**—An act to amend Sections 407, 1201.5, and 1280 of the Fish and Game Code, relating to licenses, deer tags and pheasant tags.

**MOTION TO RECONSIDER SENATE BILL NO. 502**

Pursuant to his motion previously made, Senator Sutton moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 502 was passed.

The roll was called, and Senate Bill No. 502 refused reconsideration by the following vote:

**AYES**—Senators Berry, Byrne, Desmond, Erhart, Gibson, Hoffman, Ed. C. Johnson, Montgomery, O'Gara, Powers, Sutton, and Tenney—12.

**NOES**—Senators Abshire, Breed, Burns, Busch, Collier, Cunningham, Dorsey, Grunsky, Hatfield, Harold T. Johnson, Kraft, McBride, Murdy, Parkman, Weybret, and Williams—16.

Senate Bill No. 502 ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1457**—An act to amend Section 2 of Chapter 1451 of the Statutes of 1951, relating to the compensation of the judges, officers, and attaches of the municipal court.

**Motion to Re-refer Senate Bill No. 1457**

Senator Desmond moved that Senate Bill No. 1457 be re-referred to Committee on Governmental Efficiency.

**Motion to Amend Motion**

Senator Kraft moved that the motion by Senator Desmond be amended to read that all bills relating to compensation of the judges, officers, and attaches be re-referred to Committee on Governmental Efficiency.

Senator Desmond withdrew his motion to re-refer Senate Bill No. 1457 to the Committee on Governmental Efficiency.

**Motion to Pass on File**

Senator Kraft moved that Senate Bill No. 1457 be passed on file, and retain its place on file.

Motion carried.

**Senator Collier Presiding**

At 3 p.m., Senator Randolph Collier of the Second District, presiding.

**NOTICE OF MOTION TO AMEND STANDING RULE NO. 12**

Senator Powers hereby gives notice that he will on the next legislative day move to amend Rule No. 12 of the Standing Rules of the Senate as follows:

Rule No. 12 of the Standing Rules of the Senate for the 1953 Regular Session be amended to read:

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects, *except bills relating to horseracing or intoxicating liquors*.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 11 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and Financial Code, and all bills amending the Corporate Securities Act, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees
- f. *Horse racing or intoxicating liquors*
- g. *All judges salaries*

9. Institutions, 9 members. All bills relating to the State Department of Mental Hygiene, or to institutions under its jurisdiction including:

- a. State Hospitals
- b. Home for the Feeble-minded
- c. Inebriate Colonies
- d. Institutions for Delinquents
- e. Home for the Blind
- f. Industrial Workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 9 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Corporations Code, except for Corporate Securities Act
- d. Probate Code
- e. Penal Code, and
- f. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to:

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

14. Natural Resources, 11 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

16. Public Utilities, 7 members. All bills amending the Public Utilities Code and other uncodified legislation relating to the same subject.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 13 members. All bills amending the

- a. Vehicle Code
- b. Streets and Highways Code
- c. Harbors and Navigation Code, and
- d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1320 carried an appropriation.

The President ordered Senate Bill No. 1320 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**SECOND READING OF SENATE BILLS**

**Senate Bill No. 1553**—An act to amend Section 17 of the American River Flood Control District Act (Chapter 808 of the Statutes of 1927), relating to the American River Flood Control District.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 2, lines 3 and 4, of the printed bill, strike out "or the United States of America".

**Amendment No. 2**

On page 2, line 5, of said bill, after "district", insert ", that is to say within the boundaries of the City of Sacramento as such boundaries existed on May 27, 1929,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1125**—An act to amend Section 1829 of the Elections Code, relating to the posting of the results of school district elections.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Elections", and insert "Education".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "Elections", and insert "Education".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1026**—An act to amend Section 1248 of the Code of Civil Procedure, relating to condemnation suits.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 2, lines 19 and 20, of the printed bill, strike out "or will be necessary as a result of the proposed taking", and insert a comma.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1646**—An act to amend Section 58950 of the Government Code, relating to dissolution of districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 569**—An act to add Section 31031 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 31031", and insert "Sections 31031 and 31032".

**Amendment No. 2**

On page 1, line 11, of said bill, after "district", insert ", whether the water is actually used or not".

**Amendment No. 3**

On page 1, line 12, of said bill, after "Sec. 2.", insert "Section 31032 is added to said code, to read:

31032. In case any water stand-by charge remains unpaid on the first day of the month before the month in which the board of supervisors of the county in which the district is located is required by law to levy the amount of taxes required for county purposes, the amount of the unpaid stand-by charge shall be added to and become part of the annual tax levied upon the land to which water for which the stand-by charge is unpaid was available and same shall constitute a lien on that land, and shall be added to and become a part of the first installment of said tax.

In such case and at least fifteen (15) days before the first day of the month in which said board of supervisors is required by law to levy the amount of taxes required for county purposes, the board of directors of the district shall furnish in writing to the board of supervisors and to the county auditor, respectively, a description of each and every parcel of land within the district upon which a stand-by charge remains unpaid, together with the amount of said unpaid charge on each said parcel of land.

Sec. 3."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**Senate Bill No. 326**—An act to amend Section 9 of the Riverside Flood Control and Water Conservation District Act (Chapter 1122 of the Statutes of 1945), relating to the powers of the Riverside County Flood Control and Water Conservation District.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 8 and".

**Amendment No. 2**

In line 3 of the title of said bill, after "powers", insert "and zones".

**Amendment No. 3**

On page 2, line 13, of said bill, strike out the first "and".

**Amendment No. 4**

On page 2, line 15, of said bill, after "powers", insert ", and to lease its property, or to grant any interest therein, which lease or grant does not interfere with the use of the property for the purposes of the district".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 5**

On page 5 of said bill, after line 30, insert

"SEC. 2. Section 8 of the Riverside County Flood Control and Water Conservation District Act is amended to read:

Sec. 8. Zone Six shall comprise all that territory and area included within the following described boundaries:

Beginning at the northeast corner of Sec. 3, T. 2 S., R. 6 E., S.B.B. & M.;

Thence south on section lines 2 miles to the section corner;

- Thence east on section lines 2 miles to the southeast corner of Sec. 12, T. 2 S., R. 6 E., S.B.B. & M.;
- Thence north to the southwest corner of Sec. 7, T. 2 S., R. 7 E., S.B.B. & M.;
- Thence east on section lines 4 miles to the section corner;
- Thence south on section lines 3 miles to the section corner;
- Thence east on section lines 2 miles to the section corner;
- Thence south on section lines 2 miles to the southwest corner of Sec. 6, T. 3 S., R. 8 E., S.B.B. & M.;
- Thence east on section lines 2 miles to the section corner;
- Thence south on section lines 2 miles to the section corner;
- Thence east on section lines 3 miles to the section corner;
- Thence south on section lines 2 miles to the southeast corner of Sec. 26, T. 3 S., R. 8 E., S.B.B. & M.;
- Thence west on section lines 3 miles to the section corner;
- Thence south on the section line 1 mile to the southeast corner of Sec. 32, T. 3 S., R. 8 E., S.B.B. & M.;
- Thence west on section lines 14 miles to the northwest corner of Sec. 6, T. 4 S., R. 6 E., S.B.B. & M.;
- Thence south on section line 1 mile to the section corner;
- Thence west on section lines 2 miles to the section corner;
- Thence north on the section line  $\frac{1}{2}$  mile to the northeast corner of the S- $\frac{1}{2}$  of Sec. 3, T. 4 S., R. 5 E., S.B.B. & M.;
- Thence west on the north boundary of said S- $\frac{1}{2}$  of Sec. 3, 1 mile to the northwest corner thereof;
- Thence north on the section line  $\frac{1}{2}$  mile to the northwest corner of said Section 3;
- Thence west on the section line  $\frac{1}{2}$  mile to the southeast corner of the SW- $\frac{1}{4}$  of Sec. 33, T. 3 S., R. 5 E., S.B.B. & M.;
- Thence north  $\frac{1}{2}$  mile to the northeast corner of said SW- $\frac{1}{4}$ ;
- Thence west  $\frac{1}{2}$  mile to the northwest corner of said SW- $\frac{1}{4}$ ;
- Thence north on the section line  $\frac{1}{2}$  mile to the northwest corner of said Sec. 33;
- Thence west on the section line 1 mile to the section corner;
- Thence north on the section line 1 mile to the section corner;
- Thence west on section lines 2 miles to the section corner;
- Thence north on the section line 1 mile to the section corner;
- Thence west on section lines 5 miles to the northwest corner of Sec. 19, T. 3 S., R. 4 E., S.B.B. & M.;
- Thence south on section lines [3 miles to the section corner;
- Thence east on section lines 2 miles to the northwest corner of the City of Palm Springs, at the northwest corner of Sec. 4, T. 4 S., R. 4 E., S.B.B. & M.;
- Thence following the limits of the City of Palm Springs, east 4 miles; south, 1 mile; east, 1 mile; south, 1- $\frac{1}{2}$  miles; east,  $\frac{1}{2}$  mile; south,  $\frac{1}{2}$  mile; west,  $\frac{1}{4}$  mile and south 1 mile to the southeast corner of Sec. 19, T. 4 S., R. 5 E., S.B.B. & M.;
- Thence leaving said City limits, south on the section line, 1 mile to the southwest corner of Sec. 29, T. 4 S., R. 5 E., S.B.B. & M.;
- Thence east on section lines, 2 miles to the southwest corner of Section 27, of said Township and Range;
- Thence south along the west boundary of Section 34 of said Township 4 S., R. 5 E., 1 mile to the southwest corner of said Sec. 34;] 1- $\frac{1}{2}$  miles to the west  $\frac{1}{4}$  section corner of Section 30, said township and range;
- Thence easterly along the east and west  $\frac{1}{4}$  section line of said Section 30 to the east  $\frac{1}{4}$  section corner thereof;
- Thence southerly along the easterly line of said Section 30 to the southeast corner thereof;
- Thence easterly along the section line to the north  $\frac{1}{4}$  section corner of Section 32, said township and range;
- Thence southerly along the north and south  $\frac{1}{4}$  section line of said Section 32 to the center of said Section 32;
- Thence easterly along the east and west  $\frac{1}{4}$  section line of said Section 32 to the east  $\frac{1}{4}$  section corner thereof;
- Thence southerly along the easterly line of said Section 32 to the southeast corner thereof;
- Thence easterly along section lines 2 miles to the northeast corner of Section 3, Township 4 South, Range 4 East, S.B.B. & M.;
- Thence southerly along the easterly line of said Section 3 to the southeast corner thereof;
- Thence easterly along the northerly line of Section 11, said township and range to the northeast corner thereof;
- Thence southerly along the easterly line of said Section 11 to the southeast corner thereof;
- Thence easterly along section lines 2 miles to the northeast corner of Section 18, Township 4 South, Range 5 East, S.B.B. & M.;
- Thence southerly along section lines 3 miles to the southeast corner of Section 30, said township and range;

*Thence easterly along section lines 1- $\frac{3}{4}$  miles to the northeast corner of the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 33, said township and range;*

*Thence southerly along the easterly line of said northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 33 to the southeast corner thereof;*

*Thence easterly along the northerly line of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of said Section 33 to the northeast corner thereof;*

*Thence southerly along the easterly line of said Section 33 to the southeast corner thereof;*

*Thence west along the township line to the northwest corner of Sec. 3, T. 5 S., R. 5 E., S.B.B. & M.;*

*Thence south along section lines, 12 miles to the southwest corner of Sec. 34, T. 6 S., R. 5 E., S.B.B. & M.;*

*Thence west along the township line to the northwest corner of Sec. 3, T. 7 S., R. 5 E., S.B.B. & M.;*

*Thence south on section lines, 3 miles to the southwest corner of Sec. 15, T. 7 S., R. 5 E., S.B.B. & M.;*

*Thence west along section lines, 3 miles—more or less, to the southwest corner of Sec. 18 of said T. 7 S., R. 5 E., S.B.B. & M.;*

*Thence north on section lines, 3 miles to the northeast corner of Sec. 1, T. 7 S., R. 4 E., S.B.B. & M.; thence west on section lines to the southwest corner of Sec. 31, T. 6 S., R. 4 E., S.B.B. & M.;*

*Thence north on section lines, 12 miles to the southeast corner of Sec. 36, T. 4 S., R. 3 E., S.B.B. & M.;*

*Thence west on section lines, 4 miles to the section corner;*

*Thence north on section lines, 4 miles to the section corner;*

*Thence west on section lines, 4 miles to the southwest corner of Sec. 11, T. 4 S., R. 2 E., S.B.B. & M.;*

*Thence north on section lines, 14 miles to a point on the northerly boundary of the County of Riverside at the northwest corner of Sec. 2, T. 2 S., R. 2 E., S.B.B. & M.;*

*Thence east on the northerly boundary of Riverside County, 24 miles to the point of beginning."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**Senate Bill No. 754**—An act to amend Section 25652 of the Water Code, relating to assessments in irrigation districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 1

On page 1 of the printed bill, following line 20, insert

"Sec. 2. Section 25653 of said code is amended to read:

25653. The annual assessment may include a levy sufficient to raise any or all of the following:

(a) The amount that the board determines is necessary for a depreciation fund for the replacement or reconstruction of any specific units of its works.

(b) The amount that the board determines is needed to be raised by assessment for any district purposes not exceeding [4] 2 percent of the aggregate value of the land according to the latest equalized assessment.

(c) An amount not exceeding 1 percent of the total assessed value of the land that the board deems proper to pay into the bond fund to be used for the purchase of bonds of the district not yet due or for payment into a fund to pay such bonds as they become due."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**Senate Bill No. 1446**—An act to amend Section 17.1 of the Welfare and Institutions Code, relating to the residence of minors.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 1, of the printed bill, strike out "Section", and insert "SECTION 1. Section".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 305**—An act to repeal Section 1580 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of transportation of certain needy children.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1538**—An act to amend Section 7.2 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1134**—An act to add Section 884.5 to the Welfare and Institutions Code, relating to medical, surgical, and dental care of wards of the juvenile court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after the period, insert "Nothing heretofore stated in this section shall be construed as limiting the right of a parent, guardian, or person standing in loco parentis, who has not been deprived of custody and control by order of the court, in providing any medical or other remedial treatment recognized or permitted under the laws of this State."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1449**—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "the", insert "thirty-first day of December, 1953, and the".

**Amendment No. 2**

On page 1, line 4, of said bill, after "year", insert "thereafter".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1369**—An act to amend Sections 2164 and 2165 of the Welfare and Institutions Code, relating to property qualifications for recipients of public assistance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

##### Amendment No. 1

On page 1, line 9, of the printed bill, strike out “; provided, that”, and insert “. However,”.

##### Amendment No. 2

On page 1, line 10, of said bill, strike out “said property above”, and insert “property owned and occupied as a home by the recipient such as to bring its assessed value to an amount in excess of”.

##### Amendment No. 3

On page 1, line 17, of said bill, strike out “; provided, that”, and insert “. However,”.

##### Amendment No. 4

On page 1, line 18, of said bill, strike out “said property above”, and insert “property owned and occupied as a home by the recipient or by the spouse of the recipient such as to bring its assessed value to an amount in excess of”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**Senate Bill No. 1448**—An act to add Section 203.7 to the Welfare and Institutions Code, relating to the obligation of each county to pay for the hospital treatment of its indigent residents.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert “203.7. Unless there exists a reciprocal agreement relating to the expense of medical care and treatment, it shall be the duty of every county to pay for the expense of treatment of its indigent residents furnished by the county hospital of any other county. As a condition of liability, the county providing such medical and hospital care shall, not more than five (5) days after admission, give notice to the county of residence. The county of residence shall have ten (10) days after receipt of such notice to agree to the payment of costs or to the return of the indigent patient to the county of residence.”

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**Senate Bill No. 1062**—An act to add Section 259b to the Code of Civil Procedure and to amend Section 70146 of the Government Code, relating to court commissioners.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out “Section 259b of the Code of Civil Procedure and to amend Section 70146 of”, and insert “Section 70141.5 to”.

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 70141.5 is added to the Government Code, to read:

70141.5. In any county with a population exceeding 281,000 and not exceeding 900,000, as determined by the 1950 federal census, the superior court may provide that the commissioner, in addition to the duties prescribed in Section 259 of the Code of Civil Procedure, shall perform the duties prescribed by Section 259a of the Code of Civil Procedure and in addition thereto the duties of a probate commissioner appointed pursuant to Section 69897 of this code. Any commissioner authorized to perform such duties shall receive an annual salary of eight thousand dollars (\$8,000) and shall be allowed actual traveling expenses pursuant to Section 70148."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1166**—An act to repeal Sections 125, 126, 127, and 128 of the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind, and abolishing the Social Welfare Disbursement Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 311**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to old age security with respect to the liability of relatives.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1461**—An act declaring a portion of the land conveyed to the City of Coronado by Chapter 49 of the Statutes of 1923, as amended, unavailable for navigation, commerce, and fisheries, and excluding such portion from use for navigation, commerce, and fisheries, and granting such portion of said tidelands to the City of Coronado, declaring the urgency thereof, to take effect immediately.

**Motion to Refer Bill to Inactive File**

Senator Kraft moved that Senate Bill No. 1461 be placed on the inactive file.

Motion carried.

**President pro Tempore of the Senate Presiding**

At 3:30 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

**Senate Bill No. 503**—An act to amend Section 1342 of the Fish and Game Code, relating to mammals.

Bill read third time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after the period, insert "Any person other than the owner or tenant of such land shall have in possession when transporting rabbits from such property written authority from the owner or tenant of land where such rabbits were taken."

**Amendment No. 2**

On page 1, line 6, of said bill, strike out "section", and insert "code".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 135**—An act to amend Section 6508 of the Business and Professions Code, relating to barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1351**—An act to amend Section 114 of, and to add Section 114.5 to, the Business and Professions Code, relating to the reinstatement of licenses of persons serving in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1404**—An act to amend Section 7302 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1405**—An act amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1406**—An act to amend Section 7420 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 10**—Relative to vesicular exanthema in swine and memorializing the Congress of the United States in relation thereto.

Resolution read.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, lines 17 and 18, strike out "unless processed to kill the virus and thus curb the spread through this feed source."; and in line 19, strike out the words "of processing."

Amendment read, and adopted.

**Request for Unanimous Consent**

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 10, at this time, for consideration, as amended.

**Consideration of Senate Joint Resolution No. 10, as Amended**

**Senate Joint Resolution No. 10**—Relative to vesicular exanthema in swine and memorializing the Congress of the United States in relation thereto.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—29.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—30.  
**NOES**—None.

Bill ordered transmitted to the Assembly.



## Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 263**—An act add Section 692 to, and to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, 619.5, 620, 621, 621.5, 652, 653, 654, 655, 656, 657, 658, 691, 693, 694, 695, 698, 698.5, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 721, 722, 724.5, 727, 728, 804, 809, 810, 810.5, 1200, 1201, 1270, 1272, and 1341 of, the Fish and Game Code, relating to seasons and bag limits for fish and game and the sale of fish.

## Motion to Re-refer Senate Bill No. 263

Senator Williams moved that Senate Bill No. 263 be re-referred to Committee on Fish and Game.

Motion carried.

**Senate Concurrent Resolution No. 24**—Relative to acquisition of Central Valley Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

## Senator Burns Presiding

At 4.30 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Senate Bill No. 1645**—An act to amend Sections 58950 and 58980 of of the Government Code, relating to dissolution of districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

## President of the Senate Presiding

At 4.38 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**Senate Bill No. 752**—An act to add Section 22655 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Cunningham, Desmond, Erhart, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Way, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 753**—An act to add Section 22078 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Cunningham, Desmond, Dilworth, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 683**—An act to amend Section 1953i of the Code of Civil Procedure, relating to uniform photographic copies of business and public records as evidence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 521**—An act to amend Section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1561**—An act to amend Section 1088 of the Penal Code, relating to peremptory challenges to jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Cunningham, Desmond, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

## RESOLUTIONS

The following resolution was offered:

By Senator Regan:

### Senate Resolution No. 78

#### Relative to the State Highway System

WHEREAS, The correction of the critical deficiencies in the State Highway System is a matter of great public interest and the subject of legislation pending before this Legislature; and

WHEREAS, Numerous studies have been made, all of which are in substantial agreement on the over-all deficiencies in the system; and

WHEREAS, The report prepared by the Automotive Safety Foundation at the request of the Joint Fact Finding Committee on the State Highway System and on Major Highways in Metropolitan Areas of the California Legislature emphasizes the importance of limited mileage of state highway routes of state-wide traffic importance; and

WHEREAS, The measures now pending before the Legislature suggest that immediate consideration be given to such a limited mileage; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Department of Public Works is requested to submit to the Senate not later than March 17, 1953 what, in its opinion, should constitute such a limited system; and be it further

*Resolved,* That the Department of Public Works is further requested to submit to the Senate, as soon as it can assemble the data, suggestions for the correction of the deficiencies on such a limited system, together with suggestions for the correction of all deficiencies on the State Highway System, and the time and revenue required for the same; and be it further

*Resolved,* That the Secretary of the Senate transmit a copy of this resolution to the Director of Public Works.

Resolution read, and referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 78

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

##### Request for Unanimous Consent

Senator Regan asked for, and was granted, unanimous consent to take up Senate Resolution No. 78, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 78

**Senate Resolution No. 78**—Relative to the State Highway System.

Resolution read, and adopted on motion of Senator Regan.

#### MOTION TO PRINT REPORTS

Senator Hulse moved that the report submitted by D. D. Watson, State Real Estate Commissioner, entitled "Subdivision Control in California," and the report by Marybeth Branaman entitled "Control of Subdivisions in California," be printed in the Journal.

Motion carried.

#### LETTER OF TRANSMITTAL

February 26, 1953

*Hon. Ben Hulse, Chairman  
Senate Finance Committee  
State Capitol Building  
Sacramento, California*

DEAR SENATOR: In connection with the Budget Act of 1952, the Senate Finance Committee requested the Real Estate Commissioner to review the subdivision situation and report back to said committee.

In accordance with that request, I am submitting herewith my report.

Sincerely,

D. D. WATSON,  
Real Estate Commissioner of California

## SUBDIVISION CONTROL IN CALIFORNIA REPORT TO SENATE FINANCE COMMITTEE

By

D. D. Watson, *State Real Estate Commissioner*

In connection with the Budget Act of 1952, you requested that I study the existing control of subdivisions in California and report my findings to your committee. Not having available personnel, the University of California was asked to correlate all the information I could gather relating to the subject, and through its Real Estate Research Program, to include information available to them from other sources. The university was requested to make its analysis independent of my personal direction or opinions, and to submit the findings, general observations, and conclusions to me personally.

I am attaching hereto, as a part of my report, the analysis of the problems as submitted to me by the University Bureau. It should be understood that the university did not have an adequate staff to make an extensive field survey, and it should be borne in mind that the report is made only after a rather limited study. Some may disagree with particular statements and conclusions in the report, but in all fairness the report must be considered as a whole and not by reading any one particular sentence or statement.

### **Home Builders Have Done Meritorious Job**

I wish to preface this report by pointing out that nothing herein or in the accompanying research report of the University of California is intended to detract from the credit due the California home builders and subdividers for their accomplishments during the past years. They have met the challenge of an unprecedented population growth and have produced over 1,000,000 homes since the war. Throughout the State they have met the problem of housing shortages and overcome it.

### **Weaknesses Stressed, Good Points Omitted**

It should be emphasized at this point that no attempt has been made in the university's report to comment at all upon the thousands of subdivisions and home building programs throughout the State which have been conducted in an exemplary manner. To the contrary the report is intended to deal only with what appear to be weaknesses in subdivision controls.

### **Growth of "Merchant Builders"**

There has been a great change in the nature of our California subdivision developments in the postwar years. They have changed from primarily lot sale projects to mass production home sale products. Most subdivisions in this period have been launched by large scale builders rather than by those who are primarily subdividers. They have been interested in developing large numbers of lots at a reasonable cost, and in tracts where mass production methods were adaptable, in order to keep construction costs and selling prices to a minimum.

The subdivision of today which is improved with tract built mass-produced homes does not need the same kind and degree of regulation required for subdivisions launched for speculation. The merchant builder who subdivides only as a means of providing home sites for immediate use



is usually not a subdivider by choice, but through necessity. He manufactures a finished product—a lot fully improved with all conveniences, and is really in the merchandising business.

#### **Laws Need Review**

The change in subdivision practice has created a need for reviewing present regulations with a view to adapting them to modern needs. For example, the present subdivision law administered by the Real Estate Commissioner was written in 1933—20 years ago. Extensive changes in development and marketing practices in connection with subdivisions have occurred during that period. Therefore, study of this law and other laws relating to subdivision control with a view to making them more applicable to present day practices should be undertaken.

#### **Subdivision Expansion Presents New Problems**

The rapid expansion of subdivision developments surrounding California cities has created many new particular problems, in addition to more general ones involving schools, highways and transportation. These particular problems are directly related to the subdivision and home building industry and comprise sanitation, water supply, drainage, flood control, recreational areas, access, and in some instances filled ground.

Since the war, thousands of new subdivision lots have been created to take care of the needed home building program. Much of the lands surrounding the larger centers which are particularly suited for subdivision purposes have been exhausted. Subdividers and home builders have had to move into areas where the lands are marginal for subdivision use, and are forced to develop lots at great expense. This has in many instances presented still greater difficulties in providing proper sewage disposal, control of flood hazards, drainage and filled ground. It appears that no longer can the entire burden of providing such facilities be thrust upon the shoulders of the subdivider or individual purchaser of a home.

#### **Subdivision and Home Building Business Is Enormous**

Since the war, more than a million and a half of our citizens have invested or obligated themselves to more than 15 billions of dollars in home investments in this State, and it appears that during the next 10 years, 2,000,000 additional citizens will be investing more than 20 billion dollars in homes. This means that on an average, 4,000 California citizens are investing 40 million dollars in homes each week. The necessity for providing these homes is forecast by the contemplated  $3\frac{1}{2}$  or 4 million increase in population generally predicted for the State during this period. These figures are given to emphasize the importance of the business, and the attention which should be given to the subdivider, merchant builder, and home purchaser.

#### **Division of Real Estate Charged With Fraud Prevention**

The efforts of the Division of Real Estate in the control of subdivisions are directed largely toward the disclosure of all material facts. On the other hand, the law charges the commissioner with the responsibility of investigating the subdivisions to determine that their sale would not constitute a fraud upon the public. Inasmuch as most subdivisions are sold for residential use, the sale in itself forms an implied representation that the lots are suited for home building and supplied with services

which meet local health, drainage, design and other standards. It is for this reason that the commissioner concerns himself with all phases of the subdivision development. However, if any one of the vital requirements is lacking, the question arises as to the commissioner's authority to do very much about it, under existing laws.

#### **Physical Hazards**

Where physical hazards appear to exist in connection with any subdivision, the law charges the commissioner with gathering all available information and disclosing the facts in his public report. Due to scarcity of good subdivision land and the tendency to subdivide marginal lands, close check on physical hazards is becoming more and more important. These investigations should in all cases be undertaken by local agencies and not by the Division of Real Estate. However, the present law provides that the commissioner shall gather these findings and set them forth in his public report.

#### **Regulatory Bodies Meet the Challenge**

Officials concerned with subdivisions have done a splendid job, working with laws which were not designed for this great volume or type of activity, without laws to cope with new problems which arose, with understaffed departments, with a scarcity of expert and experienced help, and with confusion due to conflicting rules and overlapping efforts. Many have worked long hours in an attempt to give service under adverse circumstances.

I want to emphasize that in my opinion, all local, county and state officials, as well as the employees of these agencies, are conscientiously trying to do a good job. One of the major problems is that we have a multiplicity of laws, rules and regulations administered by such a number of various agencies—local, county, state and federal—that it is almost impossible for those doing the regulating to understand all of the complex procedures, or even why some of them are necessary.

#### **Weaknesses in Regulation**

The research bureau of the university reported that there are a maze of controls affecting subdivisions, and enforced by numerous agencies. They listed 15 of these which ordinarily enter into the final approval of the average subdivision, and pointed out that there are many others which play a part in the over-all regulation.

Although the particular activities of each of these agencies may be necessary to proper subdivision control, indications are that some do not coordinate their efforts, with the result that there is an overlapping of efforts, and consequently duplication of demands made upon the subdivider. These excessive costs must be borne by the home builder and eventually passed on to the home buyer.

#### **Continuous Jurisdiction Needed**

Weakness of the controls and lack of authority vested in these agencies results in inadequate protection of the investing public. The standards adopted in various jurisdictions throughout the State vary greatly. Many evils surrounding subdivisions are beyond controls exercised under present laws. Many of the bad features develop after the initial approval is given by the various agencies, and present laws do not provide for continuing jurisdiction in most cases. As previously pointed out, another

weakness of the present system is that it creates undue delays to the subdivision and home building industry. Despite the great need for housing to meet the present demand, the subdivision and home building industry finds that often many weeks and months elapse before they can get their final product on the market. This delay also adds to the ultimate cost to the home investor.

The university bureau points out that it is difficult for the average land developer and home builder to acquaint himself with all of the various controls. They are not clearly set forth in publications, and their application varies with the interpretation given them by the particular employee handling the matter. He is further delayed in many areas because of failure of the agency to develop a staff of sufficient size to undertake the volume of work, or to properly train new employees.

#### **Uniform Standards Lacking**

As pointed out, the standards to be met by subdividers and home builders vary widely in various communities of the State, as there have been no state-wide minimum standards established which are adhered to regularly. These conditions resulting in expense and loss of time, do not result in uniform regulation encouraging proper development.

#### **Cooperation of Subdivision Industry**

While those in the industry do not welcome a never-ending mass of rules and regulations set up for them to comply with, it is felt that they would welcome and participate to the fullest extent in efforts to establish procedures resulting in a minimum number of concise, easily understood, and positive methods that would simplify the regulation of their industry.

#### **Subdivision Regulations Need Thorough Study**

There is every indication that serious review of the entire subdivision and home building industry in this State is overdue. It has developed into the State's leading industry and has expanded to enormous size under controls and practices which were designed for a different type of development than is usually undertaken today.

A full scale study should be undertaken by a committee of qualified persons with an organization which is properly staffed and financed, perhaps similar to the organization of the San Francisco Bay Area Rapid Transit Commission. They should have the power to select their own men of the right type to do the necessary work involved in making a complete documented survey, study, and recommendation. The committee's goal should be a plan for eliminating conflict in jurisdiction, correcting lack of minimum state-wide standards, and elimination of any unnecessary procedures.

#### **Practical Approach Important**

The members of any commission or committee created to study the problem of subdivision control on the various levels should be experienced and well grounded in the practical aspects of the business. They should be persons with a keen interest in the problems and be willing to make their knowledge and time available in the interest of the public welfare and orderly development of our State.



**State Should Finance Survey**

The State might properly provide the funds to defray the cost of the suggested survey to be conducted by the commission, since the results obtained would reflect to the benefit of all of its citizens. Possibly these funds could be allocated from the Reserve Fund of the Division of Real Estate, if it should be proper and legal to use this source of money to finance a program designed to solve some of the State's real estate development problems. Supplemental studies made by local agencies cooperating in the over-all program should be financed at the local level.

**Conclusion**

I submit that any industry in this State which causes 200,000 citizens to invest approximately two billion dollars annually should be properly recognized, and the laws and regulations by which they are bound should be carefully scrutinized. The industry is of such tremendous size that there should be complete understanding between those in the industry and the city, county, and state officials involved in enforcing regulations which control them.

I respectfully submit this report to you with the hope that it will result in not only clearing up much misunderstanding, but also doing away with outmoded laws, rules and regulations, and the concentration of more powers at a local level and less at the state level.

It seems desirable that any new laws or regulations be concentrated in the smallest number of agencies possible and that, most important of all, nothing be done until a thorough, complete, documented study is made. I would recommend that this study be initiated and completed at the earliest possible date.

In conclusion, may I again emphasize the magnitude and importance of the subdivision and home building industry in this State. The proper and uniform supervision of this industry will have positive and beneficial effects upon the health, comfort and prosperity of California citizens for generations to come. It is a large industry—perhaps our first in dollar volume and number of persons employed. To give it proper guidance and assistance with its problems, should assist in continued high employment in this field and result in great benefit to all our citizens.

Respectfully submitted,

D. D. WATSON  
Real Estate Commissioner  
of California



## CONTROL OF SUBDIVISIONS IN CALIFORNIA

Marybeth Branaman, *Graduate Research Economist*

Prepared with the advice and assistance of Paul F. Wendt

(Special report to D. D. Watson, Real Estate Commissioner of the State of California, by the Real Estate Research Program, Bureau of Business and Economic Research, University of California, Berkeley, California, January 10, 1953)

### FOREWORD

In March, 1952, the Commissioner of Real Estate of California requested the University of California through the Real Estate Research Program, Bureau of Business and Economic Research, Berkeley, to prepare a memorandum on the real estate subdivision problem in California, outlining the background and importance of the problem and analyzing the deficiencies in present controls from the point of view of public agencies, home buyers, and subdividers. This report is submitted in accordance with this request.

Financial support for the Real Estate Research Program of the Bureau of Business and Economic Research is in part furnished from funds held in the California Division of Real Estate and appropriated to the University by act of the State Legislature. It is therefore appropriate that the Real Estate Commissioner should call upon the university for assistance in a study of the problem under consideration.

Acknowledgment is made to Ray D. Westcott of the Division of Real Estate for his very helpful assistance and to the following members of the division who furnished data and suggestions: M. R. Griffin, Saxon A. Lewis, Gaylord K. Nye, Harold H. Wells, and James M. Winter. Thanks are also due to the following university faculty members and research personnel who read the manuscript and offered comments and criticisms: Catherine Bauer, George Duggar, Richard Dunann, Robert O. Harvey and Stanley Scott.

### SYNOPSIS

#### The Problem

To prepare an exploratory memorandum on the Subdivision Problem in California at the request of the Commissioner of Real Estate and to make recommendations for research on the problem.

#### The Approach

To describe the problem.

To analyze existing controls.

To survey alternative solutions to the problem.

To suggest a program of research leading to the solution of the problem.

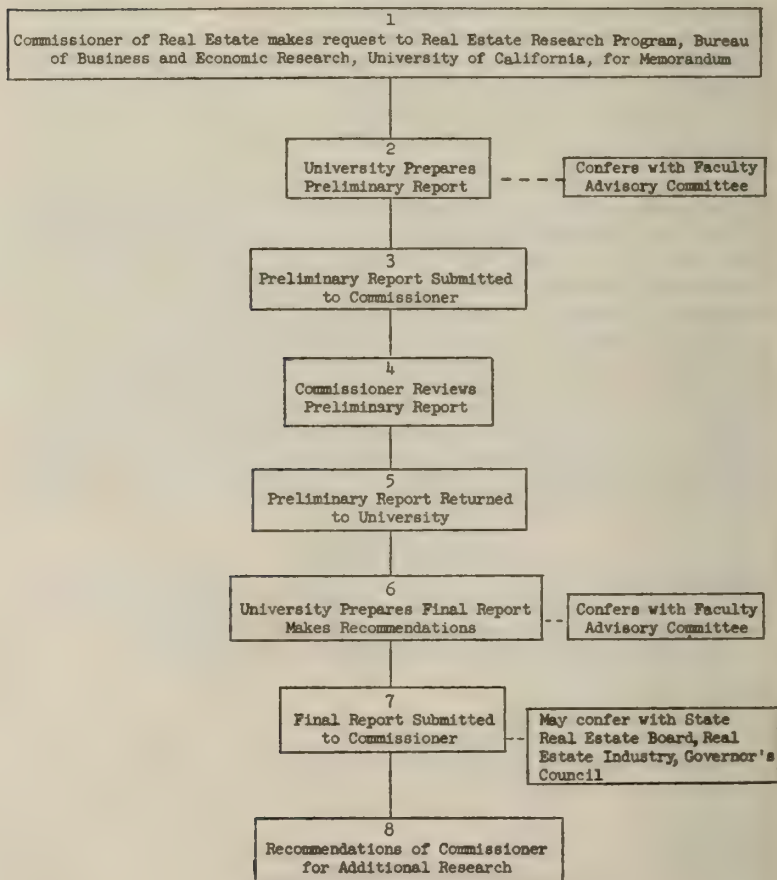
#### The Findings

The following shortcomings of subdivision controls are pointed out in this report:

1. Present controls do not assure sound community development or adequate protection to purchasers of lots in subdivisions or to home buyers.

2. The process of obtaining approval under existing regulations is wasteful, expensive, and time-consuming.
3. The relative responsibilities of State, local, and other control agencies are not clearly defined, jurisdictions are frequently overlapping, and regulations often conflict.
4. Standards for development vary widely both geographically and among various agencies, with no state-wide minimum standards.

#### STEPS TO RESEARCH ON SUBDIVISION CONTROLS IN CALIFORNIA



## I

## INTRODUCTION TO THE PROBLEM

*Its Importance*

California has witnessed a speeding up of the development of agricultural land on the fringes of metropolitan areas for urban residential uses. Improved transportation and central city congestion has furnished impetus to this movement. Decentralization of population is too often accompanied by haphazard development, the guidance and control of which has become one of the major problems of communities.<sup>1</sup> Subdivision development is part of the whole urban-rural fringe problem. The increasing financial burden on cities and counties in supplying services to unincorporated residential areas is only one indication of its intensity.

Subdivision of raw land or land previously devoted to agricultural or other uses in order to create residential building sites constitutes the first step in the formation of the urban pattern. It is therefore basic to the determination of the urban and suburban structure, and its fundamental importance in the direction of future city growth is self-evident.

One of the country's leading urban land economists has summed up the importance of land subdivision in the following statement:

In the entire process of city growth, there is no step more critical than the original subdivision of raw land. To a considerable extent, the size and shape of the lots, the street system that is provided, and the general character of the land planning determine the use to which the land is to be permanently dedicated. The character of the neighborhood is largely established by the way in which the land is subdivided. Furthermore, there is little chance to offset or remedy the mistakes in judgment or the errors of shortsighted cupidity that are reflected in the land arrangements; for, once the lots have been sold off into individual ownership, even a few of them, replanning and resubdividing become virtually impracticable. Subdividers, then, are city builders, builders of a structure that lives down through the years as a boon or a burden for the men and women and children who must live out their lives within an environment over which they had no original control.<sup>2</sup>

The benefits of sound community development are far-reaching for all concerned, and it is crucial that careful consideration be given to good subdivision practice. The subdivider, developer, builder, purchaser, investor, the government, and the community as a whole have a definite stake in the subdivision of land being conducted in a far-sighted manner. Although it may appear that developers and builders have, perhaps, a shorter-term interest in their realization of profit, established land developers find it good business to have the results of their efforts recognized as an asset to the community. The purchaser's interest is long term in his desire for a home or a profitable piece of income property. The investor wants an enduring product as security for his investment. Government has a long-term interest in that it has the responsibility for

<sup>1</sup> See Charles Abrams, "Urban Land Problems and Policies: Preliminary Analysis," *Current Information on Urban Land Policies—A Preliminary Report* (New York: United Nations, Department of Social Affairs, 15 April 1952), p. 89.

<sup>2</sup> Richard U. Ratcliff, *Urban Land Economics* (New York: McGraw-Hill, 1949), p. 415.

furnishing schools, public utilities, and other community facilities. The community as a whole has the greatest interest in insuring the best use of the land in order to provide rational urban development and the maximum amenities in city, suburban, and country living.

In addition to planning problems, giving a certain measure of protection to the investing public is important. The average home buyer or subdivision lot purchaser is not speculating, but is acquiring an investment which he and his family propose to use more or less permanently. It is therefore important that laws be maintained to prevent misrepresentation, deceit and fraud in the sale of subdivided property. Because of the general nature of this regulation, it undoubtedly should be undertaken on a state level, with cooperation of local law enforcement agencies.

#### **California Subdivision History**

A brief review of California's subdivision history will serve as a background for consideration of today's problem.

California experienced helter skelter growth during the opening of the West as the new settlers exerted a pressure for land. In a sense, the early division of the land as it was first settled was a form of subdivision. Speculation will almost invariably accompany land settlement, and California received the full brunt of such activities. Also, as Abrams notes, "Land speculation is apt to occur in any money economy where population is on the rise and land transfer is easy. It appears wherever there is the prospect of a shift in land from one use to another, i.e., from forest to agriculture, rural to suburban, suburban to urban, urban-residential to urban-commercial."<sup>3</sup> Even before 1850 promoters were buying and selling land on speculation. For example, Benicia in 1847 was developed completely by promoters. In 1849, shortly after the ratification of the first Constitution, the first Legislature divided California into counties and provided for the incorporation of cities. At the same time the recording system was adopted to facilitate the transfer of land and to protect land ownership. Through a methodical recording system a certain measure of security was afforded land owners, but the manner in which land was divided and sold was uncontrolled. The basic elements for developing a more reasonable system had been provided, but subdivision regulation as currently practiced here and elsewhere was unknown.

This loose system persisted well into the twentieth century. The land boom of the 20's hit California with a tremendous impact in several widely separated parts of the State. An accompanying lack of an integrated subdivision policy left the urban areas of the State with many of their current problems.

Speculators at full pace, subdivided large areas of land with little or no regard to size of lots, location, relation to existing areas, availability of utilities, etc. The mistakes of this period are well known to those familiar with California history. High-pressure selling methods and promise of huge profits through speculation in lots were common. Quick profit for the subdivider was usually the motive. During those years the lots were, for the greater part, sold to tourists and others who had no

<sup>3</sup> Abrams, *op. cit.*, p. 55.



idea of improving them with homes but planned to turn them over at a profit. Very few builders engaged in land subdivision, and "tract built" homes were relatively rare. Normal population increases were met through the building of individual homes. The largest problem was that of premature subdivision. Colean notes that the independent subdivider who was not also a land developer "left his mark in the form of a surplus of vacant lots in almost every large American city."<sup>4</sup> Land was cut up in advance of need and was frequently unusable in the form into which it had been divided. Consequently, tax delinquencies mounted and left large areas on which it was virtually impossible to secure title. It was reported by the National Resources Committee in 1939 that there were sewers, water mains, street paving, and sidewalks for twice the number of houses in Los Angeles County at that time. These had been provided during the land boom period. Additional taxes as the consequence of this excess subdivision were reported to amount to more than \$3,000,000 annually for the maintenance of services furnished to vacant lots.<sup>5</sup>

California was an extreme example of premature subdividing. It was estimated that some cities in the southern part of the State were surrounded by lot subdivisions sufficient to take care of twice the existing population. Promoters prepared their subdivisions with the idea of making the least expenditures and throwing the burden of improvements upon the purchasers. Tracts were bonded for practically every type of improvement—street paving, water systems, ornamental lights, etc. In their anxiety to get lots ready for sale under boom conditions, promoters were irked by delays in bonding the property. The Acquisition and Improvement Act of 1925, commonly referred to as the "Mattoon" Act, was enacted. This streamlined the procedure for bonding property for improvements and made entire districts responsible for liquidation of the bonds. While it helped the promoter, it created a state-wide "head-ache" in later years. Everyone was induced to buy lots—residents, tourists, and elderly retired people. Great profits were promised. In order to attract low income investors, sales were made on land contract with small down payments. Solicitors or "bird dogs" contacted their victims in railroad stations, bus terminals, and on downtown street corners. Free sight-seeing trips with free lunch and lecture were promised. People swarmed to the subdivisions, were given high-powered lectures, and then faced the super salesman "closer" in a closing booth. A great percentage defaulted on their contracts. Many who made payments over the years were unable to obtain title when their payments were completed, the subdivider having departed.

The Division of Real Estate was created in 1919, but no provision was made for control of subdivision activity, except in the case of agricultural and land colonization projects. The Real Estate Commissioner was given no jurisdiction over subdivision of lots for residential, industrial, or other purposes. He attempted to correct some of the evils which existed through attacking the licenses of brokers and salesmen engaged in these pursuits, but this corrected the bad situation only partially.

<sup>4</sup> Miles L. Colean, *American Housing, Problems and Prospects* (New York: Twentieth Century Fund, 1947), p. 96.

<sup>5</sup> Harold S. Buttenheim, "Urban Land Policies," *Urban Planning and Land Policies*, Vol. II of the Supplementary Report of the Urbanism Committee to the National Resources Committee (Washington: Government Printing Office, 1939), p. 264.

Legislative provisions for giving the commissioner authority over all types of subdivisions were not given until 1933, after the boom period was over and the depression had slowed all types of subdivision activity. It was a typical example of providing corrective legislation after the real need has passed, although it has proved valuable during later periods.

The depression years gave rise to a number of subdivision "rackets." Promoters developed the oil and gas subdivision, and alleged oil and gas lands were sold to speculators throughout California at huge profits to the promoters. Misrepresentation was rampant. It was not until 1943 that legislation provided for the mineral, oil and gas license, and a state-wide investigation was conducted to stop these rackets. Hundreds of salesmen lost their licenses. During the building of Boulder Dam, residential lots in Nevada were widely sold by mail and through radio advertising. "Back to the land for security" was another appeal made to the public in depression years. Thousands of acres of cut-over timber lands in Oregon were offered to California residents at prices extremely profitable to promoters. "Semisubsistence" farms of an acre or half acre were in great demand surrounding metropolitan areas.

World War II brought great numbers of new people to the urban areas of California. Between 1940 and 1950 the population of the whole State increased from 6,907,387 to 10,586,233, or 53.3 percent.<sup>6</sup> These 3½ million persons placed severe pressures upon the supply of existing housing and created a huge demand for new housing. The pace of subdivision development following World War II has greatly exceeded that of the '20s. However, vacant lot sales have been in the minority since most tracts have been developed for immediate improvement with homes. Major changes in the structure of the house-building industry resulted in the emergence of the operative builder and large-scale land developer of post World War II. Significant is one of the conclusions of a recent study, "that housebuilding is no longer primarily a contract industry producing individual designed houses to order."<sup>7</sup> The type of development in which the operative builder subdivides, develops, and builds upon his own land is by far the most common in this State today.

#### Background of the Specific Study

New problems have arisen during these years of tremendous increase in population and volume of development. Some have been brought about by difficulties with the existing legislation, difficulty of enforcement, inadequacies in standards, and overlapping jurisdictions.

The magnitude of the postwar surge in subdivision activity is indicated by the increasing number of subdivisions approved by the Division of Real Estate over a 10-year period.

<sup>6</sup> U. S. Bureau of Census.

<sup>7</sup> Sherman J. Maisel, "Housebuilding in the San Francisco Bay Area," *Journal of Political Economy*, Vol. LIX, No. 2, April 1951, p. 169.

**Residential Subdivisions Filed With the State Division of  
Real Estate, 1943 to 1952**

<i>Year</i>	<i>Number</i>	<i>Lots</i>	<i>Acres</i>
1942-43 -----	172	11,535	2,700½
1943-44 -----	184	14,849	4,766
1944-45 -----	310	17,328	10,957½
1945-46 -----	865	45,522	28,907
1946-47 -----	1,640	104,752	48,375
1947-48 -----	1,362	82,943	43,759
1948-49 -----	1,431	68,306	30,686
1949-50 -----	1,519	109,602	39,889
1950-51 -----	1,915	127,473	43,885
1951-52 -----	1,586	79,410	30,668

NOTE: These figures are not in all cases complete because in some metes and bounds descriptions of subdivisions the exact number of parcels and acres is not available.

During the 10-year period prior to 1942, California's subdivision activity was at a very low ebb, except for speculative subdivisions heretofore mentioned and those of the "semi-subsistence" type. During some years in that period, the total tracts filed with the Division fell below 200 for the entire State.

SOURCE: 1942-43 to 1947-48; *California Real Estate Magazine*, June 1949, p. 127.

1948-49 to 1951-52; *California Real Estate Magazine*, June 1952, p. 258.

Many difficulties are experienced by the Division of Real Estate in the administration of subdivision legislation. The sections of the law administered by the commissioner greatly limit his jurisdiction and largely confine his activities to disclosure of facts pertaining to the subdivision through his public report. Unless certain facts exist concerning any particular subdivision which, in his opinion, would cause its sale to work a fraud upon purchasers, he has no powers to control its development or marketing. If local agencies fail to do their job with respect to flood, utilities, streets, etc., the commissioner can do no more than to point these matters out to the purchaser. In those cases where it is evident to the commissioner that the city and county officials are not exercising their jurisdiction, he can merely mention it to the purchaser in his report. Once the public report is issued, he has no power to correct bad conditions, unless they are sufficiently serious so as to work a fraud upon the purchaser. In such cases, he can call a hearing, and if he proves his case, may issue an order stopping the sale. If unfair sales methods are used, the commissioner has no jurisdiction unless the parties happen to hold real estate licenses. The subdivider is not required to be licensed to sell his own property. Provisions of the law do not apply to the subdivision of land into four or less parcels. This furnishes an avenue of evasion. Landowners, in some cases, sell four separate parcels to friends and relatives who, in turn, make additional sales of four lots each. Sometimes sizable tracts are created in this manner without control, with the result that local controls over street alignment, drainage, etc., do not apply, and the purchaser does not have advantage of the safeguards the commissioner normally provides.

Approval of subdivisions is an expensive process for the State, cities, counties, and the subdivider. The procedure from the tentative land plat to the sale of tract houses is cumbersome and lacking in preciseness. The developer is in a position of finding it difficult to know when he has complied with all requirements.

The maze of legislative controls, private controls, deed restrictions, and the multiplicity of jurisdiction all add up to a confusing situation



for all parties concerned. Sufficient protection is not afforded the purchaser, and disorderly community development results.

There is a no state agency charged with responsibility of checking to see that local agencies do the job they are empowered to do by law. Furthermore, there are no minimum standards for subdivision development provided by law which local officials are obliged to meet. While some city and county officials take the task seriously and exercise all the controls provided for them, others give these matters a minimum of attention.

The growing scarcity of undeveloped land in urban areas and the rapid postwar growth in the unincorporated fringe without proper community integration gives cause for increasing concern over the future of subdivision development.

Evidence of the growing importance of the "subdivision problem" and of its recognition by public officials of the State is found in a report by the Commissioner of Real Estate submitted to Governor Warren in 1951.

A large portion of the prime subdivision property has been used up during the past 10 years, due to  $3\frac{1}{2}$  million increase of population. It appears that the problem immediately ahead of us for the next 10 years is—more than ever before—to be careful that substandard subdivision properties being made available for homes at least meet minimum standards; particularly those pertaining to water, sanitary and drainage facilities—in other words, standards for human habitation, or else they should not be offered for sale.

It is predicted that during the next 10 years the population of California will increase by another  $3\frac{1}{2}$  or 4 million people who will have to be housed—that is the reason the commissioner is emphasizing at this time that proper regulation of subdivisions in the future is going to be more important than ever before in the history of this State.<sup>8</sup>

The present report describes existing subdivision controls in California and summarizes the problems of subdivision control from the point of view of administrative agencies, builders and subdividers, and the public.

## II

### EXISTING CONTROLS

Subdivision controls in California fall into three categories:

- (1) Direct legislative controls specifically designed for application to subdivisions.
- (2) Private deed restrictions or protective covenants.
- (3) Controls which have a bearing on subdivisions only incidentally in that they may apply to other development, whether subdivided or not. Enactments at all levels of government are included.

<sup>8</sup> State Division of Real Estate, Report for Governor's Council Meeting, March 26, 1951, p. 3.



## DIRECT LEGISLATION

## State

State legislation directly related to subdivision procedure consists of three major pieces of legislation.

(1) *Subdivision Map Act*. (Division 4, Part 2, Chapter 2, Sections 11500 to 11628 of the Business and Professions Code, amended by the Statutes of 1937, 1943, 1947, and 1949.) This act is in effect an enabling act, and while it is state legislation, it lays out the scope of local subdivision enforcement. It regulates the filing of subdivision maps with the recorder in the county in which the land is located and covers certain engineering features connected with the creation of a subdivision. The authority over the design, improvement and survey data of subdivisions, together with the form and content of tentative maps, record of survey and final maps is vested in the governing body of the cities and counties. In many instances the enforcement is delegated to either the city or county planning commission concerned. The provisions of the Map Act are not under the control of the State Division of Real Estate.

Under the terms of the Map Act a subdivision is defined as "any real property, improved or unimproved, or portions thereof, shown on the last preceding tax roll as a unit or as contiguous units, which is divided for the purpose of sale, whether immediate or future, by any subdivider into five or more parcels within any one-year period."<sup>1</sup>

Excluded from the definition of a subdivision are the following:

- (a) Any parcel or parcels of land in which all of the following four conditions are present: (i) which contain less than five acres, (ii) which abut upon dedicated streets or highways, (iii) in which street opening or widening is not required by the governing body in dividing the land into lots or parcels, and (iv) the lot design meets the approval of the governing body.
- (b) Any parcel or parcels of land divided into lots or parcels, each of a net area of one acre or more for which a tentative map has been submitted to the governing body and which has been approved by the governing body as to street alignment and widths, drainage provisions and lot design.<sup>2</sup> (Unless otherwise extended by local ordinance the authority of the governing bodies of cities and counties is restricted to these latter provisions.)

Persons are forbidden to offer to sell, to contract to sell or to sell any subdivision or record of survey, or portion thereof until a final map or record of survey map which meets all requirements of the Map Act or of applicable local regulations has been recorded or filed with the recorder of the county or counties where the subdivision is located.

Deeds of conveyance, sale or contract to sell which are contrary to the provisions of this statute are voidable at the option of the purchaser.

(2) *Regulations of Transactions of Subdivided Lands*. (Division 4, Part 2, Chapter 1, Sections 11000 to 11021 of the Business and Professions Code amended and added to by the Statutes of 1943, 1945, 1947, and 1949.) This legislation is administered by the Commissioner of Real

<sup>1</sup> Section 11535.

<sup>2</sup> Article 3, "Scope of Regulation."

Estate. It is designed to prevent fraud in the sale of subdivided lots and to disclose essential facts concerning the property being offered for sale or lease before members of the buying public obligate themselves to purchase or lease.

In this act, subdivided lands and a subdivision are defined as "improved or unimproved land or lands *divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into five or more lots or parcels*; provided, however, that land or lands sold by lots or parcels of not less than 160 acres which are designated by such lot or parcel description by government surveys and appear as such on the current assessment roll of the county in which such land or lands are situated shall not be deemed to be 'subdivided lands' or 'a subdivision' within the meaning of this section, unless such land or lands are divided or proposed to be divided for the purpose of sale for oil and gas purposes, in which case such land or lands shall be deemed to be 'subdivided lands' or 'a subdivision' within the meaning of this section."<sup>3</sup>

All subdivided land is covered by this regulation except the following:<sup>4</sup>

- (a) Land subdivided by a public corporation such as the State, a city or county.
- (b) Public corporations such as school districts, irrigation or water districts, reclamation or drainage districts, etc.
- (c) Land subdivided, a map filed originally offered for sale prior to August 11, 1933, but expressly exempted from the provisions of the act at that time.
- (d) Those subdivided lands which in the opinion of the commissioner do not constitute a subdivision within the meaning of the definition contained in Section 11000.
- (e) Cemeteries.

The requirements imposed upon the subdivider under the provisions of this piece of legislation for the protection of the buying public are indicated in the following four steps.

*Step 1* (Filing of notice of intention and/or subdivision questionnaire). *Before subdivided lands can be offered for sale or lease, the owner or subdivider must notify the commissioner in writing of his intention to sell.* Included in this notice of intention must be the names and addresses of the owner and subdivider; the legal description and area of lands; a true statement of the condition of the title to the land, including encumbrances; a true statement of the terms and conditions on which it is intended to dispose of the land, together with copies of any contracts intended to be used; a true statement of the provisions, if any, that have been made for public utilities in the proposed subdivision, including water, electricity, gas and telephone facilities; and any other information which the owner or subdivider feels should be presented.

Following receipt of the notice of intention, the commissioner may require any additional information concerning the project which he deems necessary and may prepare a questionnaire for the owner or subdivider to answer.

*Step 2* (Filing fee). *A \$50 filing fee must accompany the answered questionnaire.*

<sup>3</sup> Section 11000.

<sup>4</sup> These exclusions summarized in Deputy Report from San Francisco office, June 16, 1952.

*Step 3 (Filing of documents). Other documents may also be required to accompany the questionnaire.*

After returning the questionnaire the owner or subdivider is not allowed to make a material change in the setup of his offering without first notifying the Real Estate Division in writing of his intended change. It is also unlawful for the owner or subdivider to sell land in a subdivision on which he has a lien or encumbrance unless the lien or encumbrance contains a release clause "enabling the vendor to deliver title to each parcel sold free of the lien" upon the buyer's completion of all payments and performance of all the terms and provisions required to be made and performed by him, or either, under the agreement of sale. (Section 11013).

*Step 4 (Inspection and public report). The commissioner may investigate any subdivision being offered for sale or lease in the State at the owner's or subdivider's expense. The commissioner may also inspect out-of-state lands which are being offered for sale or lease in California at the owner's or subdivider's expense. (In the former case the expense is based on actual costs to the Real Estate Division. In the latter case, \$0.05 a mile may be charged plus an amount for additional expense involved, not to exceed \$10 a day.) When the Real Estate Division makes an examination of any subdivision, the commissioner shall make a public report of his findings thereon which he may publish.*

(3) *Rules and Regulations of the Real Estate Commissioner.* (Contained in Title 10, Article 12 of the California Administrative Code.) The commissioner is empowered by law to adopt rules and regulations for the administration of Sections 11000 through 11021 of the Business and Professions Code. The portion concerned chiefly with subdivisions includes Sections 2790 through 2809, dealing with procedure and with the public report required by the commissioner. The significant provisions of these regulations relating to residential subdivisions follow.

The first few sections are concerned with the filing fee, questionnaire forms, and accompanying documents. It is also stated that the commissioner may waive the filing of the questionnaire if it is his opinion that the facts and circumstances so justify. The commissioner is required to make an inspection and investigation of the subdivision after the fee and questionnaire are received.<sup>5</sup>

No lots or parcels in a subdivision can be sold, leased, or offered for sale or lease until the final public report has been issued by the commissioner, nor can reservations to purchase or lease lots or parcels be taken until a preliminary or final report has been issued. This rule does not apply if the filing of a questionnaire and fee has been waived by the commissioner.<sup>6</sup>

The "preliminary report" has been developed by the Commissioner to enable the subdivider to make lot reservations prior to the time he has satisfied the commissioner in all respects. When the requirements are substantially met and it appears there may be some delay in completing them, the commissioner may issue a preliminary report. The subdivider may then make reservations and accept deposits, provided he places such deposits in a neutral escrow depository subject to return to the prospective purchaser upon demand, without deductions. To further assist certain

<sup>5</sup> Sections 2790-2793.

<sup>6</sup> Section 2794.



subdividers, the commissioner has developed a special questionnaire to be used in connection with those tracts which are to be fully improved and sold with FHA- or VA-approved financing.

*Step 5 (Delivery of public report).* The owner or subdivider cannot enter into a binding contract or agreement for the sale or lease of any lot or parcel in a subdivision until a true copy of the commissioner's final public report has been given to the prospective purchaser, he has been given an opportunity to read it, and his receipt taken for it.<sup>7</sup>

If investigation and inspection indicate that the subdivision is subject to flood, fire, or other hazard, the commissioner may require the owner or subdivider to furnish a report upon such hazard prepared by a competent flood control engineer, fire warden, or other proper authority.<sup>8</sup>

If the commissioner doubts the suitability of any proposed subdivision for the purpose for which it is proposed to be sold, the owner or subdivider must accompany his filing by a report or reports prepared by competent authorities showing that the lands or leases have definite merit for the purpose for which they are to be sold. It is up to the commissioner to determine the sufficiency of the data submitted and the qualifications of the parties preparing such data.<sup>9</sup>

If it appears to the commissioner that there is a serious defect in the subdivision and its sale might work a fraud upon the purchaser, he may call a hearing, notifying the subdivider of the charges. If the evidence deduced at the hearing substantiates his charges, he may order the sale stopped. If the subdivider does not comply with the order, the commissioner may bring a suit in the superior court to enjoin him or may seek a criminal complaint through the district attorney's office.

#### Local

The Subdivision Map Act permits city and county agencies to adopt their own ordinances and rules within certain limits. Therefore, the local direct legislative controls consist of county and city ordinances of widely varying provisions throughout the State. Some of these ordinances are entitled subdivision ordinances; others are not so named but do control certain facets of subdivision activity within the jurisdiction involved. Subdivision design may be approved by the planning commission or legislative body in the case of counties and by planning commissions, city engineers, boards of public works, or city councils or a combination of two or more of these groups in the case of cities. Provisions of such ordinances often specify improvements in the form of paving, curbs, gutters, sidewalks, drainage, and sewers. In some instances it is required that improvements be completed or a guaranty bond filed by the subdivider. Minimum street widths, minimum lot frontage, and minimum lot area are frequently specified. Exceptions to provisions often may be permitted at the discretion of the approving body.

#### PRIVATE DEED RESTRICTIONS

Deed restrictions represent a private direct control of the development and use of land. Courts have held that if they are not unreasonable nor do not run contrary to public policy, they are usually enforceable at law as part of the free exercise of contract. Unlike government legislation

<sup>7</sup> Section 2785.

<sup>8</sup> Section 2797.

<sup>9</sup> Section 2802.



under the police power, deed restrictions may be for any lawful purpose and need not serve the public welfare. Such covenants may serve as zoning and planning by private agreement and may represent an attempt to accomplish in this fashion "much the same ends which are sought through the action of public authorities in enacting zoning laws and building regulations."<sup>10</sup> However, they are also frequently used to supplement existing zoning ordinances. Since deed restrictions do not represent a part of direct governmental control of subdivision projects, they are not considered at length in this report.

#### OTHER CONTROLS

There is practically no limit to the miscellaneous rules and regulations which may affect subdivision activity and development since there are so many agencies which in one way or another have a say in the development, financing, and use of land. Such controls are mainly the edicts of public agencies at all levels of government, but they may also be those of quasi-governmental or private institutions. On occasion the control exercised by some authorities may appear to be remote, and such authorities may not concern themselves with all subdivisions, but when a number are involved, the coordination of their activities presents a real problem.

##### Federal

At the federal level, for example, the facilities operated by the Bureau of Reclamation may affect subdivisions which border on the territory of the projects. Owners of property in one subdivision found their property inundated by the rising waters of the Salton Sea! Public lands adjacent to the sea had been set aside for a public water reserve, and hence the bureau had jurisdiction over the area. A more direct example is offered in FHIA's policy in the financing of subdivisions. FHIA valuers analyze subdivision proposals submitted to the agency in anticipation of insured mortgage financing.<sup>11</sup> However, specific requirements may vary considerably with the local FHA offices.

It is also found that there is often no clear understanding between such agencies as the FHIA and the VA and the local authorities or a lack of coordination between the requirements of the two. One subdivider reported that Santa Clara County refused his proposed plan on the grounds that the lot dimensions would not be acceptable to the FHIA. A recheck with the local FHIA office disclosed that the lot dimensions were acceptable to them. The subdivider then requested the FHIA to advise the county accordingly. It is obvious that in such a situation where the developer is caught in the middle the delays and extra expense involved will be passed along to the eventual purchasers.

##### State

At the state level, in addition to the Division of Real Estate, the Division of Housing or the State Department of Public Health may be involved in land development. The Public Utilities Commission may have an interest in the supplying of utilities to a newly-subdivided area or in the public use of railroad crossings to gain access to a subdivision. When mutual water companies are formed to take care of water supply for a subdivision, the Division of Corporations has requirements to be met for

<sup>10</sup> William J. Grange, *Real Estate* (New York: Ronald Press, 1940), p. 349.

<sup>11</sup> See Curt Mack, "Subdivision Program of the FHA," *Insured Mortgage Portfolio*, First Quarter 1948, p. 15.

the issuance of stock. Well digging and water contamination are within the province of the State Water Pollution Board.

Freeway planning through subdivided areas or in those areas where subdivision is contemplated brings the Division of Highways into the picture. An example of coordination and cooperation on the part of a state agency, county planning commission and subdividers is offered in the projection of the East Shore Freeway through southern Alameda County. In this instance, subdividers left space for the projected freeway in their subdivision plans, hence allowing for better orientation and eliminating an eventual need for the exercise of eminent domain to obtain the necessary space.<sup>12</sup>

#### Local

At the local level school districts, other special districts, municipal departments of public works, and building codes may all place requirements upon subdivision development at one stage or another.

Local health officers are given extensive jurisdiction over subdivided lands in the Health and Safety Code. First of all, they may pass upon the water supply, its adequacy, purity, and the sufficiency of the equipment, including size and material in water mains. Some local health officers take this task seriously, and the county supervisors will not permit a map to go on record unless he approves. Furthermore, the health officer is empowered to pass upon the type of sewage disposal facilities. He may refuse approval of the map if the proposed disposal plans do not meet health standards. In some counties certain areas are banned for septic tanks or cesspools because of soil conditions.

Banks and other lending institutions requiring the meeting of certain standards for qualifications for construction financing provide an example of a private control.

Other examples of the way in which regulations of various agencies affect subdivision development are cited in Chapter III in connection with specific problems encountered by the Division of Real Estate.

### III

#### PROBLEMS ENCOUNTERED IN RECENTLY SUBDIVIDED AREAS

The multiplicity of legislative controls over subdivisions on the municipal, county, and state levels, supplemented by the regulations of administrative agencies and controls described in Chapter II, have not solved the subdivision problem in California. There remain areas of no control and others aggravated by conflicting controls. In many instances they are a feature of the large-scale and rapid development which has taken place in recent years without provisions being made for proper integration.

The scope and importance of the problem is seen in reports from the files of the Real Estate Commissioner. The specific problems encountered can be divided into two groups (a) those concerned with physical difficulties of design and facilities, related to the site itself, a combination of difficulties of house and site, and community arrangement and (b)

<sup>12</sup> Newell A. Grover, "Cooperation—Community Planning Spurs Freeway Progress in Alameda County," *California Highways and Public Works*, March-April, 1950, p. 11.

those of a contractual nature involving such considerations as financing, "release clauses," completion bonds, sales methods, restrictions, contracts of sale, expenses for the installation of utilities, etc.

#### FLOOD HAZARD AND DRAINAGE

The storms of the winters of 1950-51 and 1951-52 served to point up most dramatically the extent of flood, drainage, and related problems in California subdivisions. Certainly they inflicted more damage than had been heretofore recorded, and they gave rise to numerous complaints to the Division of Real Estate and to local legislative bodies and agencies.

Storm drainage and other drainage problems have long been a difficulty of subdivided areas. Under the provision of the California Map Filing Act local authorities are given control of the design of drainage facilities. However, the solution of drainage problems frequently requires approval of the State Water Pollution Board.

Flood hazard reports are secured from the County Flood Control Engineer, or if none is employed, from the County Engineer's Office. Some counties do not seem to be equipped to furnish any opinions regarding flood hazards. The purchaser's attention is then called to conditions in the report. By rule the subdivider is required to deliver a copy to each purchaser and take his receipt for it. Frequently the division's reports have contained strong warnings about flood conditions.

During the winter of 1950-51 the Commissioner of Real Estate initiated a flood survey by the deputies in his offices in Sacramento, San Diego, Oakland, San Francisco, and Los Angeles. Careful inspection was made of damage, complaints were investigated, and an attempt made to evaluate conditions throughout the State.

Streams and creeks overflowed their banks under a deluge of rainfall, accompanied in many parts of the State by unusually high tides. Levees broke. Storm drains clogged or proved inadequate to handle the runoff. The downpour eroded filled hillsides and poured silt and debris over yards and into streets.

The following summary of flood conditions in a dozen counties most seriously affected by flood damage in recent years is based upon reports to the Real Estate Commissioner, supplemented by newspaper reports.

##### Winter 1950-51

*Alameda County:* Approximately 123 homes were affected in several subdivisions which lie west of San Lorenzo, namely Washington Manor (Tracts 902 and 993), Washington Gardens (Tracts 957, 996, and 1059), Washington Acres, and Sunnybilt Homes Subdivisions (Tracts 929 and 1035). In three homes flood waters poured over the floor level which is about 18 inches from the ground, and 160 owners found water from one to 18 inches in their garages. Inundation in this area was caused by a series of breaks in the San Lorenzo Creek levee, obstructions, excessive drainage causing overflow of a district drainage ditch and a series of high tides which prevented normal drainage into the San Francisco Bay.

*Contra Costa County:* Flood conditions during the winter of 1950-51 were severe in the northeastern section of the county. Much of the water was in the Pacheco area and covered a portion of one subdivision in this vicinity, Meadow Homes, to a depth of  $1\frac{1}{2}$  feet. Meadow Homes flooded on two separate occasions, during one of which the occupants left their



homes. The following subdivisions were affected by water conditions in this part of the county: Concord Estates Units 1 to 7 inclusive, Gregory Gardens Units 1 to 7 inclusive, Fair Oaks Unit No. 1, Tree Haven Parts I and II and Unit II, Sherman Acres, El Rancho Diablo Units 1 and 2, Meadow Homes Units 1 to 5 inclusive, Meadow Homes Addition Units 1 to 3 inclusive, Meadow Village Units 1 and 2, and Orchard Grove Estates.

These subdivisions which are near the towns of Walnut Creek, Concord, Pittsburg, and Antioch, experienced flood conditions which were caused by the inability of storm sewers to handle the volume of water. All of this area has had a great deal of subdivision activity. Flood water in Gregory Gardens was claimed to be caused by water diversion from adjoining properties into a natural drainage area which had once been part of a lake.

Several subdivisions in the southern part of the county, while not experiencing great damage, suffered considerable inconvenience from run-off water from surrounding hills and Mt. Diablo. Subdivisions affected in this area were Cameo Acres and Las Lomitas Units 1 and 2.

Minor damage was inflicted throughout the county from run-off water. Natural drains in the area which normally take care of such run-off proved inadequate to handle this abnormal flow because of the volume and obstructions throughout the system.

*Marin County:* Excess water inflicted most damage in low areas in near the shoreline which have been the scene of considerable recent subdivision activity. Because of poor drainage in the general area, Kay Park Subdivisions No. 1 and No. 2 were inundated. Both tracts had been sold out, leaving no opportunity for the warning of prospective purchasers. Water reached sidewalk level in Strawberry Manor No. 2 as a result of a seven-foot tide condition. Lots had also been all sold in this tract. A filing on Marin Village Unit 1 was being processed at the time of the heavy rains. Inasmuch as a seven-foot tide came within one foot of the existing fill, the subdivider was asked to furnish a flood control report to the Division of Real Estate so that warning could be given purchasers.

Other tracts such as Kentfield Gardens Subdivision No. 1 near a dike were affected by the seven-foot tide. Some parcels in this particular tract had been sold and were occupied. Venetia Harbor Unit No. 2 experienced a water condition to a depth which reached the bottom of the house walls in some places. Gallinas Village No. 1 in the same vicinity was not inundated because of fill, but drainage from it did affect an area adjoining an old subdivision which was inundated. A flood report had also been required on this tract.

Drainage problems on other tracts developed because drainage facilities had not yet been installed.

*Sacramento County:* Water conditions in Sacramento County were attributed to excessive rainfall, choking of normal drainage facilities, seepage and levee breaks. Too great a concentration of dwelling units in relationship to drainage facilities provided in the fringe areas of the city was also a contributing factor.

The greatest amount of damage in this county was to the Sierra Oaks and Sierra Oaks Vista Subdivisions. Flood conditions in these tracts were caused by a levee break. Both subdivisions had been completely



sold out. Hidden River Vista, which lies further to the east, had some damage to houses built on a ledge of the riverbank. Flooding was caused by the river overflowing its banks at this point.

Colonial Village, southeast of the City of Sacramento experienced an accumulation of surface water because adjoining properties were permitted to drain into the area to relieve pressure.

Some drainage water was in evidence on several subdivisions near Elk Grove and Florin in the central part of the county. These included the following: Bacchini Tract No. 1, Florin Addition, Kara Tract and Koshell Subdivisions. This water was due to drainage from a creek and drainage from adjoining properties. It was reported to the Division of Real Estate that the county was contemplating correcting this condition.

*San Joaquin County:* One subdivision in Lodi was affected. Sharps Lane Nos. 1, 2, and 3, Laurel Acres and Laurel Farms, which lie near the city limits of Stockton were reported to have had water on the streets and up to the sidewalks. Seven Oaks Subdivision which lies within the City of Stockton was threatened by water in its low area and was sand-bagged to prevent water getting through and flooding the tract.

*San Mateo County:* According to Division of Real Estate reports, no great material damage was done to the subdivisions in this county, although it is plain that considerable inconvenience was suffered by residents. Flood conditions were created by abnormal volume of rainfall aggravated by clogged streams and defective and badly planned construction and location of subdivisions. Flooding was encountered chiefly in the lowland along the San Francisco Bay, particularly in the City of San Mateo and Redwood City.

In San Mateo near the Bay Meadows Race Track two subdivisions known as San Mateo Village Units No. 3 and No. 4 were flooded by an overflow of Laurel Creek which was choked by an accumulation of debris in the creek bed. The blockage was caused by silt deposits resulting from subdivision activity many miles above this point of overflow. In the same developments, damage was reported to some 30 houses into which rain had filtered through weatherproofing. In this instance damage was apparently due to faulty construction rather than prevailing weather conditions.

Within the City of San Mateo, Shoreview No. 8 subdivision was inundated by excess water breaking through a dike in San Mateo Creek.

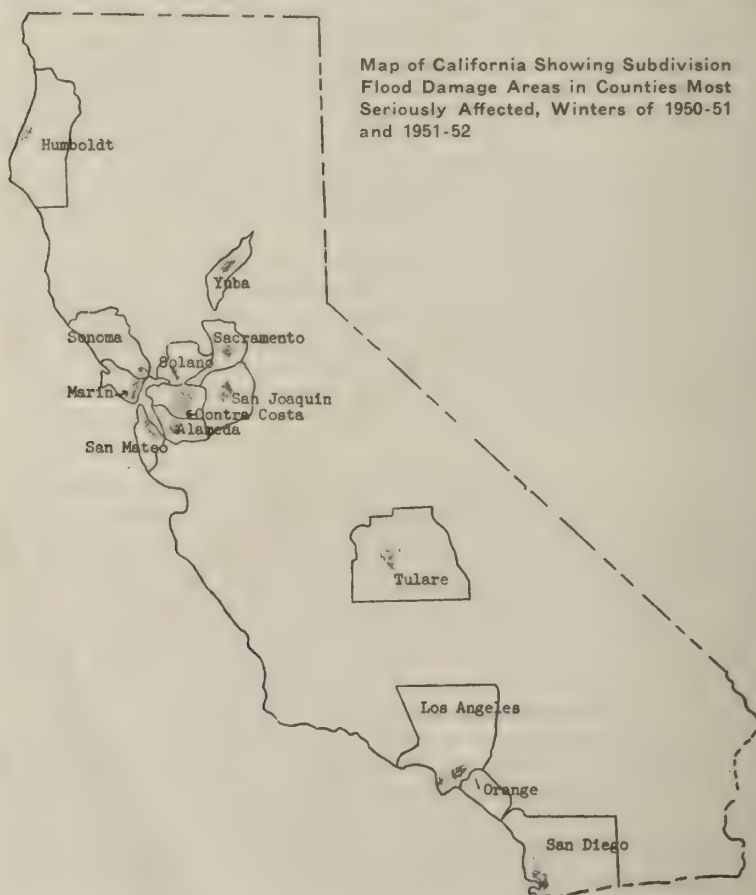
In Redwood City water flowed under several houses in Oak Ridge subdivision and seeped through the floors. This was partly caused by excessive water, but the condition was aggravated because concrete blocks used in construction were not weatherproofed and hence permitted seepage. Apparently this is one of the difficulties presented by the concrete block type house. In the same city, poor drainage caused flooding in Redwood Terrace No. 1. Some overflow in the Atherwood Subdivision was caused by drainage from surrounding properties.

Friendly Acres, which lies within the corporate limits of Redwood City experienced the effects of flood waters, and it was reported that water at this location has been as much as three feet deep and had entered one of the houses. During periods of excessive high tides drainage of this property is greatly hampered, causing flood conditions. Storm sewers were in the process of installation after the heavy rains, and it was expected that this would eliminate some of the flooding condition.

*Tulare County:* The storms also played havoc with several new subdivisions in this county. Green Acres, west of Visalia, flooded when Mill Creek overflowed. Cameron Creek Colony experienced some flooding. Near Woodlake, Tract No. 55 was inundated with two feet of water, and in some cases the water rose above floor levels. A break in the bank of a canal caused damage to this subdivision.

Three or four lots in Soda Springs Addition near Springville were flooded because of blocking of debris in the Tule River. One home in this tract was demolished.

*Yuba County:* Flood conditions in this area appeared to have been man-made. Dredging operations on both sides of the river near Hammon-ton created a channel which was inadequate in width and in turn caused a break, forming a new channel. This diversion of water caused flooding. The subdivisions affected by these flood waters were Linda Center, Wiget Center, Hammond Acres and Gledhill Tract. In Gledhill Tract



residents were evacuated from their homes. Other subdivisions affected by flooding in the area were Ostrom Acres, Yuba Gardens, McClain Tract and Arboga Townsite, which is an old subdivision.

**Winter 1951-52**

*Alameda and Contra Costa Counties:* All the subdivisions adversely affected in 1950 were again having the same problem, and the circumstances and conditions surrounding water hazards were approximately the same, with certain exceptions. It may be noted that considerable damage was due to lands tributary to Alameda Creek. This condition did not prevail in 1950. It appeared that the greater portion of the damage was done to public roads and unsubdivided lands.

Difficulty because of flood conditions was experienced in El Rancho Diablo, Gregory Gardens, El Monte Terrace, El Monte Estates, Concord Village, Clayton Valley Estates, and Mira Vista Terrace.

In summarizing the flood problems of these two counties the Oakland office of the Division of Real Estate reported in February, 1952, as follows:

Many opinions were expressed to the effect that it had been brought home to the people directly involved in their local communities that if they wished to relieve themselves of many of the hazards of floods, it would be necessary for them to exert the initiative. This has been accomplished in a great measure in Contra Costa County by the initiation of a Central Drainage System. When this system has been completed and the separate districts coordinated into the main system, much of the distress in the past should be alleviated. The same system holds true in Alameda County, as the people directly involved in the "grass roots" level realize that a flood control operation is a necessity; and thoughts and work are being directed toward that end with many improvements contemplated.

*Humboldt County:* Several complaints were received during the winter months from residents of a subdivision known as King Salmon Resort. This was supposed to have been a recreational subdivision, and the division's public report had contained a warning to purchasers as to tide and storm conditions in that area. "

*Los Angeles County:* Flood damage complaints were received from residents in the City of Venice. It was found that old subdivisions were affected. This provided an example of the inability of the Division of Real Estate to do anything for residents of old subdivisions because it lacks continuing jurisdiction after the tracts are sold out.

The Bellflower Board of Realtors reported to the Division of Real Estate that flooded condition of so many homes in the southeast area of Los Angeles County warranted something being done to stop any new subdivisions from being started in what is known to be land subject to heavy overflow. Their statement emphasized that the division's public report did not constitute sufficient protection for the public.

This county maintains an excellent flood engineering service. Reports are furnished to the county, incorporated cities, and to state agencies as a matter of routine, and they have been found by the Division of Real Estate to be very accurate. Considering the extent of development



in Los Angeles County for the past few years, the number of subdivisions subject to flood hazard has been very low, and those tracts complained about are some that the Flood Control Engineer's office reported might be subject to sheet overflow. This causes no real damage as a rule, but principally inconvenience.

*Orange County:* Residents of the Bitterbush Tract in this county protested serious inconvenience caused by flooding in their area. It was found that the builder had ignored the warning that this was a flood area.

*Marin County:* Areas most subjected to floods during the 1951-52 storms were in Strawberry Manor, Bret Hart area, Marina Village, Kentfield Low Land area, and the Cities of San Rafael and Novato.

Complaints were received from residents of Kay Park Subdivisions No. 1 and No. 2 in January 1952. As during the previous year, drainage continued to be a problem in these subdivisions. Unit No. 3 was on the drafting board at that time, and the subdivider planned to create Unit No. 4 in the near future. The Planning Commission advised that they were watching both units closely in regard to drainage.

Marina Village Unit No. 1 was affected more severely by the storms than any of the older subdivisions. It appeared that this subdivision had insufficient fill as the roads and practically all the land in the area were completely inundated during the storms and high tides. The division's public report had contained a strong statement to the effect that purchasers should satisfy themselves prior to purchase regarding the possibility of infrequent inundation due to excessive rain water run-off, high tides, and unfavorable weather conditions.

In brighter contrast, Madera Gardens Subdivision No. 2 might be offered as an example. This is one of the older subdivisions which was built on tideland area and which has been successful in overcoming the flood control problem. This is an example of a tideland subdivision which can be considered secure against storms and flooding because of scientific and adequate engineering on the project.

Bret Harte Village Unit No. 1 and Unit No. 2 again experienced flooding of streets and sidewalks. Gallinas Village Unit No. 1 was affected the same this year as during the previous year. The division's public report on the subdivision had contained a warning about tide and wind conditions.

Nave Gardens and Franklin Court near Novato were seriously affected by the winter storms. No public report was ever issued on Franklin Court as the original tract was recorded in 1890. The public report on Nave Gardens stated nothing about flood conditions. It was reported that the builder had had trouble with local authorities in the past in connection with drainage operations. Newspaper articles covered in detail the flood condition caused by an inadequate drain going under the Northwestern Pacific tracks which causes water to back up over the building area in severe storms. However, according to a letter from the San Francisco office of the Division of Real Estate, dated June 16, 1952, this land was subject to inundation prior to any subdivision development, and it should have been rejected as a subdivision location. A drainage canal is in the process of construction to remove danger of future flooding.

The repetition of inconvenience to residents and damage to property prompted general protests and calls for action from the residents of the



county. Mass meetings were held by citizens in San Rafael with the County Board of Supervisors and other local authorities regarding possible solutions for flood conditions in Marin County. Editorial comment in the *Mill Valley Record* on February 7, 1952, succinctly expressed the general feeling in stating that, "The time is long past when Marin County should have done something to tighten up its subdivision laws to protect innocent buyers from buying a home in the summertime, which would be under water, come winter." It was further protested that the flood damage in recently-developed lowland areas indicated that sufficient attention had not been given to the provision of adequate drainage and flood control facilities. Protests gave rise to tightened requirements on fill, drainage, curbs and gutters, and sidewalks.

*Sacramento County:* In January, 1952, this county found itself again beset with flood difficulties. Several streets in Colonial Village were inundated. This was caused by the inadequate storm drainage system and disposal of water collected by the drainage system. Heavy run-off water surged into Fruitridge Manor, located south of the State Fairgrounds in Sacramento. In River Park and Orchard Terrace, run-off water endangered several of the dwellings along the drainage ditch running along the south end of the tract.

*San Diego County:* This county had its own special problems during the 1951-52 storms. San Diego has many new subdivisions on high ground where flooding would not normally be expected. However, a serious problem exists relative to drainage of storm waters in these new subdivisions. After the winter storms visual inspection revealed that in many instances the drainage provided for the new subdivision tracts is not sufficient to take care of an excessive amount of rainfall and that facilities provided are not substantial enough to carry an excessive overload of storm water.

It was also found that site grading in the subdivisions has a tremendous effect upon the drainage problem and that because of improper grading serious damage had already resulted.

The drainage problem in this area has been magnified to a large extent by reason of the fact that many of the new tracts, especially those with filled embankments, have not been provided with a protective grass covering so that an excessive soil erosion occurs. This was particularly evident in the new tracts which were under development at the time of the rains.

The erosion phase of the problem is intensified greatly by reason of the fact that subdivisions on filled ground are generally found in a territory where the contour is irregular and land surface is hilly and rolling, therefore accelerating the draining of falling rain water. In the development known as Redwood Village near San Diego such a condition exists, and a great deal of silt and erosion damage was observed there during the 1951-52 storms. In some instances surface water drained away from the land to the rear of the lots, eroding the ground and undermining the concrete slabs on which the houses were constructed. Serious damage was done to several houses in the Redwood Village units by water undermining slabs and causing buckling. Door frames were thrown out of plumb, and settling even broke gas connections.

In Cosgrove Annex No. 2 water action on an unsurfaced street undermined a drain sewer already constructed which then broke loose and

added to the torrent of water cascading down the steep incline, eroding a canyon in the street, and depositing a large amount of silt at the bottom of the incline.

Tests indicated that some of the damage was occasioned by improper site grading rather than soil compaction. It did not seem that the subdividers and their engineers had attempted to maintain any uniformity with the recommended degree of embankment slopes as established by the City of San Diego with respect to road embankments.

Where sewer construction alongside roadways had not been completed, much damage was noted by erosion in the open ditches. It was evident that a great amount of the damage was caused by reason of the fact that construction was not completed, thereby exposing the unfinished roads, lawns, etc., to the destructive force of the excessive rainfall.

*San Mateo County:* The over-all picture in this county was not so serious as the one existing the previous year. Many of the city and county engineering departments tightened their regulations and obtained the necessary financing to prevent a recurrence of the 1950 storm damage.

*Solano County:* Flood damage was reported in the Vallejo area east of the main highway in a subdivision known as Vallejo Manor. This area is at the head of Austin Creek which eventually empties into the Napa River. Some damage also was incurred along the creek west of the highway. Residents of both areas held mass meetings and met with the city council in an effort to have some corrective measures taken. A protest was entered against the city council approving further subdivisions in the area until adequate drainage is provided. In East Vallejo, manholes were opened to relieve back pressure in the sewer system. As a result, raw sewage overflowed in this area and around the Steffan Manor School.

#### FILLED GROUND

Multiple problems arising in connection with subdivisions developed on filled ground have been noted in the discussion of the flood problem. Dangers of settling and erosion exist. Subdividers often delay planting which is frequently crucial in a filled ground area. Slab construction on filled ground which is not properly compacted or properly graded and drained is not advisable. Under such conditions when drainage undermines the foundations, extensive irreparable damage is done. Slab foundations are generally permissible on properly filled and drained ground unless local building codes or lending institution requirements prevent it. Because of gaps between requirements of local building codes, FIIA standards, and other controls, buyers' homes suffer cracks and settling and in some cases destruction.

In the San Diego area particularly, where supervision of grading, compaction, and drainage on filled ground has not been properly controlled, there has been extensive damage to tract-built houses. Because of rapid population expansion and attendant building in many hilly areas surrounding San Diego, subdividers have done extensive cutting and grading work to prepare lots for building. Some tracts have filled ground as much as 50 feet in depth. Despite good filling practices, filled ground is always more subject to erosion by running water because of soil disturbance. In terraced subdivisions where lots are not drained into streets, extensive washing has occurred.

In the case of San Mateo Village it was found that the tract was built upon 30 inches of rock and gravel fill. The fill has not been installed to a sufficient depth, the result being flooding in excessively wet periods. In this example there has been no settling or excessive cracking as fill was compacted and weathered before construction. Sleepy Hollow Addition near San Anselmo in Marin County was constructed over a filled-in creek bed and the creek replaced by a concrete culvert. Excessive rains caused an overflow which washed away the fill and undermined some of the houses. Some foundations cracked and others tilted. This was caused by improper fill and compaction, together with the sealing off of a natural water course.

In Alameda County four subdivisions are known to be on filled ground. (Tracts 1062, 1075, 1160, and 1151.) In Contra Costa County the following have filled ground: Sunset Gardens, Unit 3; Parkmead Oaks, No. 3; Manor Crest Village, No. 7; and Woodland Manor, Unit 2.

The public report on Faulkner Subdivision, a portion of Meadow Park Tract in Los Angeles County (Res. No. 6591, November 1951) states that the subdivider advises that two parcels have filled ground as a result of filling in oil sump holes and basins. The oil sludge beneath these fills may work up to the surface. Locations of these parcels are given in the report.

Purchasers are warned about filled ground on a portion of the lots in a tract in Los Angeles County in the public report. (Lots 1 to 5 and 33 to 36, Tract No. 17394, File Res. 6613, April 1952.) The statement is made that there is compacted fill on these lots. Grades are given along with the density of the fill and the load which will be supported.

In those communities where controls are not properly exercised, the Commissioner of Real Estate throws the burden upon the subdivider to furnish engineering reports showing that the work has been done properly.

#### WATER SUPPLY

Water supply constitutes one of the most serious problems in recently developed subdivisions. The availability of water as a utility is one phase of the problem, quantity another, and quality or potability a third. There may be no water lines from an existing water company or there may be no provision for wells on the property. In certain arid areas of California the problem of a dropping water table is critical. Purchasers are not always informed that there is no guarantee of continued water supply.

The Public Utilities Commission exercises control over public utility companies, and its supervision appears to be effective. Private water companies are subject to less control and have the obvious recourse to cessation of service of water to their consumers if they are unable or unwilling to meet requirements. The Division of Real Estate attempts to warn purchasers of such a contingency. In the public report for a tract in San Bernardino County (Tract No. 3754, File Res. 5318, April 1952) a statement was made to the effect that the subdivider advised that purchasers of lots would receive water from the Western Heights Water Company under certain arrangements. Purchasers were warned that the Western Heights Water Company is a "mutual" water company which is not supervised or regulated as a public utility water company would be and that the company did not yet have a permit issued by the State Board of Public Health as required by law. The company would be under no



obligation to supply water to anyone who was not a shareholder. The subdivider did not propose to furnish a share of stock to each purchaser but intended instead to enter into a conditional contract of sale, containing a number of provisions of interest to prospective lot purchasers. These conditions were also stated in the report.

The Corporations Commissioner does have a certain amount of authority over mutual water companies in that he can refuse to allow shares of stock to be issued. Once shares have been issued, there does not appear to be any continuing control over such companies by any agency. The Division of Real Estate has received numerous complaints about a great many mutual water companies. A number of conferences have been held by the commissioner on this problem. During 1951 a formal hearing was held regarding several subdivisions in the Sugarloaf area near Big Bear in San Bernardino County, which appeared to have been inadequately served with water by a mutual water company. After one day of testimony the sale of lots in these subdivisions was ordered stopped until such time as a public utility water system had been issued a permit to serve the area and until an adequate supply of domestic water was actually made available to the lots in the tract.<sup>1</sup>

Another problem which must be solved for the protection of lot buyers in tracts served by mutual water companies organized by the subdividers is that of permanency of the water supply. Some provision for continuing responsibility on the part of the developers seems to be desirable. In some promotional tracts, subdividers have washed their hands of responsibility for maintenance of the mutual water company after they have issued stock to lot buyers. Unless the tract is rapidly improved with homes, a few scattered residents may have the burden of maintaining the system.

The problem of adequacy of water supply arose in Lake County in the Mount Hannah Subdivision, Canal Homesites, and Oak Knoll Subdivision—all supplied by a private water system. The particular question in this case concerned what provision was made to carry on the contract to supply water should the contracting party for one reason or another pass out of the picture.

Municipally owned water companies too may have special provisions which would greatly affect the use of lots in subdivisions. The following quotation from the public report on Tract 14490 in Los Angeles County (File Res. No. 6376, September 1951) provides an interesting example:

The Department of Water and Power advises it will supply water to all lots in Tract 14490, but lots 2, 3, and 9 inclusive, can only be supplied subject to the Department's water service Elevation Agreement. Water supply to Lot 1 is contingent on the approval by Water System Engineers of a site grading plan and, if supply is approved, will be subject to the Department's water service Elevation Agreement.

The Elevation Agreement referred to is between the purchaser and Board of Water and Power Commissioners of the City of Los Angeles wherein the purchaser agrees to accept such water supply as the Water Department is able to render from its existing distributing system and discharge the Water Department from any and all claims for damages by reason of said water service.

<sup>1</sup> Reported in *Real Estate Bulletin*, July 1951, p. 2.



In the case of the Ave Marie Subdivision near Roseville in Placer County (File Res. 2176, August 1950) the original subdivider had agreed to furnish water to the tract through a supply obtained from the North Fork Ditch and collected water fees direct from the water users. Subsequently he decided not to continue collecting but required that the water users pay direct to the North Fork Ditch, which in turn refused to accept fees, claiming their agreement was with the subdivider to wholesale water to him. The difficulty was solved when the North Fork Ditch finally took over the complete supply of water to users.

In Noonan's South Land Park Subdivision near Sacramento (Res. 1283, April 1947) the subdivider represented at the time the subdivision was filed with the Division of Real Estate that he would install a water supply system which would be taken over by a Sacramento County District. This was not accomplished until four years later, and it was necessary for the division to contact the subdivider several times in order to bring about the promised action.

This last year the Los Angeles *Daily News* called the public's attention to the Antelope Valley water problem in the Palmdale-Lancaster areas. Water levels are dropping in wells over seven feet per year. The present rate of subdividing and well drilling in the Valley are reported to be tremendous, and tentative maps filed showed over 3,000 parcels in the last quarter of 1951. People buying in the area are not always informed about the rapid depletion of water.

A number of developments exist where the purchaser must develop his own water supply at his own expense, and if this is known, it is included in the public report on the subdivision.

Some difficulty has been experienced with regard to pollution on San Lorenzo Creek in Santa Cruz County. Other pollution problems are a feature of the combination of the sewage and water supply problems.

### SEWAGE

Disposal of sewage ranks as one of the most troublesome problems encountered in current subdivision practice. Controlling measures have been woefully inadequate. The sewage problem is tied in with such other important problems as flooding, drainage, and water supply. Local ground conditions may serve to make sewage disposal on individual lots extremely difficult. For example, near La Mesa in San Diego County (and in many other parts of the State) the soil structure makes individual lot disposal almost impossible. A high ground water table in certain areas of the San Fernando Valley prevents the use of cesspools. In some hill areas at the fringes of the valley sewage disposal on a higher lot tends to drain onto lower lots because the soil is not adequately absorptive.

It has been found that in some cities local authorities fail to coordinate their efforts to control the sewage problem. Local building departments may give septic tank permits but the local health departments will not necessarily grant approval. Subdivisions may be developed and lots sold and subsequently the purchaser will find he has no means of sewage disposal. This situation has given rise to the following requirement by the

**Real Estate Commissioner regarding the filing of subdivisions which are not to be served by public sewers:**

If it is proposed that local means of sewage disposal are to be used, a required document in the subdivision filing will be a letter or statement from the local health officer, or authority having jurisdiction, stating that the installation of septic tanks or cesspools will be permitted on all lots in the subdivision. Any exceptions to this statement which might exist should be set forth, but it must be clear that the means of sewage disposal which are represented by the subdivider as being suitable will in fact be permitted on all of the parcels in the subdivision.<sup>2</sup>

An example of good coordination between the health officer and the board of supervisors may be found in San Diego County, where maps are not permitted to be recorded unless the health officer approves of sewage disposal plans. Health hazards have developed in that county in the past because of numerous cesspools and septic tanks in unsuitable areas. Whole areas are now banned by the health officer for this type of disposal where soil conditions are unsuitable.

Examples of some of the difficulties encountered in the sewage disposal problem are listed below.

In Del Norte there was an attempt last spring to try to install septic tanks and wells on small lots. The Northern Division of the Water Pollution Board took the matter in hand in this case.

In the Harbour Front Unit 1 tract in San Luis Obispo County (File Res. 6818, April 1952) the public report of the Real Estate Division advised that septic tanks are permitted by the Health Department if installed in duplicate on certain lots. It was the opinion of the Health Department that certain lots are too small to accommodate septic tanks, and the department requested that they be sold in multiples of not less than 4,000 square feet.

During 1949 heavy rains caused flooding in the Vollmer Tract in Santa Clara County. Septic tanks overflowed and the effluent entered in and under the houses. It was necessary as a health measure to evacuate some of the residents and to install chlorine tanks as a safety precaution.

A complaint signed by 27 purchasers was received by the Division of Real Estate concerning a sanitation condition in Hilldale Terrace Units 1 and 2 in San Diego County. Heavy rains in the Escondido area last winter had created a drainage difficulty. Septic tanks installed in the tracts apparently could not drain into the saturated soil and overflowed on the surface of the ground. It appeared that improper drainage had been provided in the tracts. The chief of the Division of Sanitation, San Diego County, reported that the only solution would be to have the area annexed to the City of Escondido so that sewer connections could be made. Meanwhile a health hazard confronted residents of the tracts.

The sanitation problem is general in several other counties. The Division of Real Estate reports that the list of subdivisions affected in Contra Costa County is a particularly long one.<sup>3</sup> The sewage problem for Cameo Acres which has suffered flood damage during the past two winters has

<sup>2</sup> Real Estate Bulletin, May 1951, p. 3.

<sup>3</sup> A report on "Water Pollution and Sewage Disposal in Contra Costa County, 1952," was submitted to the Board of Supervisors August 26, 1952, by a subcommittee on Water Pollution and Sewage Disposal.

never been solved. A private sewage disposal system had been constructed for Cameo Acres Units 1, 2, and 3 which failed to meet county, state or FHA standards. When Unit 3 was to be developed, protests were received from residents of Units 1 and 2 who claimed their property would be damaged by the use of the sewer in the third unit. In spite of difficulties the tract was developed and purchasers<sup>s</sup> allowed to occupy their homes after some delay. Both technical and legal aspects of the sewer problem for this subdivision promise to be a community problem for many years.

#### ROADS AND STREETS

The problem of roads and streets also causes difficulty. There is a vast difference in policy among the various cities and counties in the matter of acceptance or rejection of dedicated streets and roads. The Real Estate Commissioner made a tentative survey of the subject and sent out over 400 questionnaires for clarification. The replies have not been completely catalogued, but the following indicate the variety of policies listed.

1. Streets may be dedicated by a subdivider, but there will be no assurance to purchasers of acceptance for public use and maintenance by the local jurisdiction.
2. In some instances the offer of dedication for public use will be accepted but there will be no agreement to maintain the streets.
3. The offer of dedication will be rejected completely.
4. Portions will be accepted, the rest rejected.
5. Dedication may be accepted for public use and maintenance.
6. If roads do not meet local specification standards for widths and improvements, local governing bodies will neither accept nor maintain them.
7. There are districts where the subdivider must post a bond for street improvements prior to his subdivision being accepted for recordation.

The division also finds problems involving roads described simply by rights of way or easements which sometimes causes litigation and controversy. Some counties are apparently overcoming a portion of the problem by strengthening their requirements for the construction of roads in new subdivisions.

In the Ave Marie Subdivision near Roseville in Placer County (Res. 2176) the interior roads are private rights of way or easements which must be maintained at the expense of the purchasers. Purchasers complained that the roads put in by the subdivider were impassable and asserted that conditions and maintenance of the lots were misrepresented. Placer County will not take over roads of this type.

Roads within Alpine Tract (Res. 1855), a mountain subdivision near Colfax in the same county, are private. Complaints have been made about the improvements by the subdivider which have been claimed to be inadequate. The county will not accept them. Action on the part of the Division of Real Estate forced the subdivider to make the roads at least passable, but they had not been accepted by the county according to latest reports.

A third subdivision in Placer County, Frey Subdivision (Res. 1220) on U. S. Highway 40 near Weimar, gave similar trouble. Interior roads, although dedicated, were not accepted by the county. Complaints were



received by the Division of Real Estate relating to improvement of the roads by the subdivider, and through the efforts of the division additional gravel was placed on the roads, which satisfied the complainants. However, the county will not accept the roads for maintenance.

Meadowmont Subdivision (Res. 1347) and Meadowmont Subdivision No. 2 (Res. 1483) 20 miles northeast of Angels Camp in Calaveras County have also been sources of similar trouble. Complaints were again made about the condition of the roads which were to be improved by the subdivider. A cash bond was placed with the county for the improvement of the roads, and the bond was returned to the subdivider by the county. The Division of Real Estate received numerous complaints about the road conditions, and the county refused to do anything about them, although, as stated, the cash bond was returned to the subdivider. The division has endeavored to work with the county and the purchasers to try to solve the road problem.

For Pleasant View Subdivision in Shasta County (Res. 2738, March 1952) the public report warns, "Pleasant View Drive has been dedicated for public use and has been accepted by the county with the stipulation that the County of Shasta does not agree to construct, improve or maintain said dedicated street. This may mean that future care and maintenance may have to be borne by the individual property owners." Such county policies leave subdivisions in the anomalous position of having so-called public streets with no public assumption of responsibility for their upkeep.

#### ACCESS

Some means of ingress and egress to subdivisions is obviously important, but there are cases where this necessary feature has been inadequately treated. Usually cities and counties exercise some jurisdiction over the installation of streets within a tract, although their authority to do so in record of survey maps is dubious, according to the Division of Real Estate. Such installation of streets makes it possible for owners to get to their property within the tract but does not insure their being able to reach the tract itself.

A special problem of access has been presented by a number of subdivisions where the only means of reaching the tracts is over private rights of way crossing railroad tracks. The crossings are steep and dangerous, and the Public Utilities Commission has the authority to close the crossings at any time. Yet subdividers are not required to obtain public crossings prior to their subdivision maps being accepted for recordation.

In a letter from the Public Utilities Commission to the Division of Real Estate on May 6, 1952, that agency stated that it is faced with a considerable problem in California with respect to private grade crossings that over the years become public through use and yet are not constructed to proper standards to insure safety to the public and often are not suitably located to serve the area in an efficient manner. Arrangement for private crossings can be made between an individual and the railroad company without recourse to the commission, but before a public crossing may be constructed authority must be obtained.<sup>4</sup> An application for such authority is made by the political body having jurisdiction over the road and if, in the judgment of the Public Utilities Commission, the

<sup>4</sup> Public Utilities Code—Section 1201.



crossing is deemed necessary, authority is granted by a formal order specifying certain standards of construction, type of paving, approach grades and protection.

The letter goes on to state that the commission's problem arises when a county or city comes with an application to make public one of these old private crossings. Upon investigation it is found that the people using the crossing very often have no other means of access to their homes, but at the same time the crossings are not constructed to the commission's standards and considerable expense would be involved to make them conform. In other cases, the necessity for the crossing could be eliminated entirely if a short connecting road were to be built to connect the new area with an already existing public crossing.

In such cases the commission may request the local authority making the application to improve the crossing. Other times it may suggest that a connecting road be built, eliminating the necessity for the crossing. The commission usually finds that these public bodies feel that the subdivider should have made these changes. However, the subdivider has long since sold his lots and washed his hands of the matter. Because of the large expense entailed, the county loses interest, disclaims any jurisdiction over the roadway, and the substandard crossing remains as a hazard to the public and the railroad.

The letter states,

It would be extremely helpful if real estate interests when planning a subdivision requiring access across a railroad track would: (1) prepare its plans in such a manner that the number of crossings be kept at a minimum; (2) not utilize existing private crossings for such access until they ascertain that such crossing ties in with other general plans for the development of the area; (3) make sure that any necessary public crossings can be constructed to safe standards.

An accompanying report cites specific instances where unsuitable private crossings have been utilized for subdivision developments.

- (a) Summerhill Heights—Subdivision south of Los Altos on the Los Gatos branch of the Southern Pacific Company. Objectionable grades up to 15 percent exist. Santa Clara County filed an application in 1947 to have the crossing declared public. There was a possibility of having a nearby road extended where the crossing is protected by a wigwag. Therefore the commission denied the application. The county has not constructed the extension because it is expensive, and it feels the subdivider should have made the provision. Meantime the private crossing remains in use by the general public, although the surface has deteriorated considerably since no one assumes the responsibility for its maintenance.
- (b) Woodland Acres—Subdivision also on the Los Gatos branch of the Southern Pacific Company at Simla Station. In this case the owner of a private estate on the west of the railroad obtained access to the county road on the east side of the track for many years over a private crossing. When a subdivider acquired the property, he utilized the old private road as a subdivision street, naming it Arboretum Drive. Approach conditions are similar to those for the Summerhill tract. In 1950

Santa Clara County filed an application to make this crossing public. Engineers from the Public Utilities Commission investigated and found that considerable expense would be necessary to either reduce the approaches to reasonable gradients or to build a parallel road to an already existing crossing. When these suggestions were made to the county, it withdrew its application. Arboretum Drive remains a private crossing although it serves a considerable number of newly constructed homes and further extension of the subdivision is now under way.

- (c) Tobiasson Subdivision—a few miles south of Redding. In this case the only access to the property was over an old private crossing and after the subdivision was made and many of the lots sold, Shasta County made an application for a public crossing. After hearing, the commission granted the application, but it appeared that a parallel road could have been built to another public crossing and thus eliminated the necessity for the new one.
- (d) Center Street, Millbrae, San Mateo County. The so-called Center Street crossing was originally installed many years ago under private agreement with Southern Pacific Company. It now furnishes the only means of access to a number of houses on the east side of the railroad tracks, and the commission's engineers have noted that a considerable extension of this subdivision is in progress. There is also local agitation to utilize this crossing on an access route between Millbrae and El Camino Real, and the San Francisco Airport.

#### AIRPORTS

The location of subdivisions in relation to airports is becoming an increasing problem. Subdivisions are gradually encroaching upon the private airports to the point where it may become hazardous to occupy houses built as close to the airstrips as they now are and directly under the airport flight pattern. In several instances the aeronautical authorities have asked the Division of Real Estate to do something about the problem. However, there is little the Division can do under present legislation, other than to make mention of the fact in its public report, and it has no way of anticipating the establishment of future airports. It is also undetermined how close subdivisions should be built to the airport flight pattern.

In Alameda County Tracts 1077, 1093, and 1141 are located immediately adjacent to the Hayward Municipal Airport. This airport is used by a National Guard unit, flying military planes. Because of the traffic in and out of the airport, it should have been obvious to purchasers that some homes were located in the flight pattern. Because of prevailing winds the general flight pattern on take-offs is in a westerly direction directly over these subdivisions.

#### FIRE PROTECTION

Although fire protection is in the hands of the local jurisdictions, it appears that local fire protection authorities have found it difficult to cope with the problem in a number of newly-built up areas. Cities or

counties may set forth in great detail the requirements for the installation of water lines and then neglect to provide for water in the mains. In some instances subdivisions may be outside any established fire district.

The Division of Real Estate has not been besieged with complaints with respect to inadequate fire protection, but local authorities have called the division's attention to the inadequacies of this important service in subdivided areas. In certain mountain districts subdivisions are protected only by equipment made available by the Forestry Division. Usually such equipment is designed for fighting only grass or brush fires rather than residential and is not available for subdivision fires when otherwise occupied. In some instances the protection is available only during the summer months.

The Division of Real Estate includes mention of fire protection in its public report so that purchasers will at least know whether they will be protected or not. For example, the public report on Pleasant View Subdivision (Res. 2738, March 1952) in Shasta County states, "The subdivider advises there is no fire protection."

The Oakland office reported that the Mount Hannah Subdivision located near Hoberg's Resort in Lake County appears to have inadequate fire protection, even though it is developed.

#### SALES METHODS

Control over sales methods where misrepresentation, false promises, etc., are employed has been a particularly difficult question for the Division of Real Estate. The Attorney General has advised that the present law permits action only when there is something wrong with the subdivision itself. It is sometimes possible for the commissioner to take indirect action against a real estate licensee who may be involved. Since the subdivider is permitted to do his own selling, there are frequently no licensees involved. The Los Angeles office of the division reports, for example, that it has numerous complaints against one individual selling property in the Palm Springs area. Neither the District Attorney of Riverside County nor the division has been able to do anything about the complaints to date.

Further, the Real Estate Commissioner is empowered only to stop sales in case of fraud, misrepresentation, or deceit. Once the subdivision is sold out, his jurisdiction ceases. The division reports that this has probably been the most important bar to effective action. It also is noted that proving fraud, misrepresentation or deceit is very difficult prior to the sale of parcels. For the most part all the commissioner can do is try to insure full disclosure by means of the public report, and the division has made an all-out effort to enforce the rule that prospective purchasers be given a copy of the public report before buying property. It has been found that subdividers are often very reluctant to give out the report, particularly if there is any adverse matter in it.

As regards restrictions and contracts of sale, the law appears to imply some jurisdiction on the part of the commissioner to insure that there is no fraud, misrepresentation, or deceit in regard to their use but does not provide any effective means of enforcing this jurisdiction. Many important restrictions are placed on land, and some, such as reversionary clauses, may be highly unfavorable to purchasers.



Some "vicious" contracts of sale proposed for use by subdivisions have been encountered by the division. The following presents an extreme example:

In one case, a subdivision known as "Happy Homes," the division was able to persuade the subdivider to change some of the provisions. However, the contract of sale which he had originally intended to use, for instance, agreed that the buyer would forfeit all rights and all money that he had paid in if, for instance, he and his wife should separate and live apart.

It is pointed out that the principal trouble with buying property on a contract of sale is that the seller does not have to have title or clear title until the time for completion of the contract. Meanwhile he need not own it or, if he does, can mortgage it. Circumstances may prevent his being able to deliver title when the contract is fulfilled, and purchasers may have no remedy except civil suit, out of which they may be able to obtain only worthless judgments. The division reports that some states require that contracts of sale involving subdivisions be handled much more strictly for the protection of purchasers.

#### RELEASE CLAUSES

Financing and the question of "release clauses" in loans which cover the entire subdivision has always been a problem. Attempting to clarify the matter the commissioner asked the Attorney General the following question:

Does the Real Estate Commissioner have the authority and responsibility to require release provisions in a proposed subdivision project that will enable individual lot purchasers to obtain clear title upon performance of their purchase contract even if the subdivider is in default on a blanket loan on the whole subdivision?

The Attorney General's conclusion is summarized as follows:

The statute is intended to prevent defrauding subdivision lot purchasers and is a valid exercise of the police power to attain such end. The provisions of Section 11013 of the Business and Professions Code require an unconditional release clause and the Real Estate Commissioner has the authority and responsibility to require that the provision be unconditional. In its absence, after appropriate proceedings he may prohibit the sale of lots in the proposed subdivision.<sup>5</sup>

The Attorney General's opinion clarifies the aspect of the section referred to that release clauses must be effective, regardless of whether or not the basic loan is in good standing.

However, the division calls attention to the fact that there are a number of other problems in connection with release clauses which are still in doubt, namely that the meaning of the section is not clear and that it is not effective in protecting the purchaser. It is not effective in that it requires provisions which will enable the seller to deliver property free and clear of the loan, rather than provisions which would enable the buyer to obtain clear title, free and clear of the loan.

<sup>5</sup> Opinion of the Attorney General. No. 51/28. January 25, 1952.



### SUMMARY

The following problems in recently subdivided areas have been reviewed:

1. Flood Hazard and Drainage
2. Filled Ground
3. Water Supply
4. Sewage
5. Roads and Streets
6. Access
7. Airports
8. Fire Protection
9. Sales Methods
10. Release Clauses

The first four or five of these problems have accounted for the bulk of complaints to the Division of Real Estate in the past few years.

As the problems have become acute, many local jurisdictions have undertaken their solution. Complaints are often addressed to the Division of Real Estate, although the division does not exercise control over the causes of the problems. If it attempts to bring about solutions, it may find that it would enter fields that are properly the responsibility of other authorities or that it may no longer have jurisdiction.

A few cities and counties exercise sufficient controls and the various agencies coordinate their efforts. Others lack this cooperation. Still other cities and counties are not equipped with the necessary personnel to control subdivision developments. Many plead they do not have the funds provided to maintain the expert help needed. The Division of Real Estate has no technical help to undertake this job when it is not done locally. Their only recourse is to throw the burden upon the subdivider or landowner to furnish expert certifications. If conditions are found to be serious, the commissioner can stop the sale of the tract on the grounds that to permit it would cause constructive fraud to be worked upon purchasers.

Furthermore, warnings issued by the division in its public reports on subdivisions have frequently proved ineffective since prospective purchasers have apparently disregarded warnings. The apparent inadequacy of subdivision controls from the point of view of the investor, the local jurisdiction, the subdivider, and administrative agencies will be reviewed in Chapter V.

## IV

### THE SUBDIVIDER

Examination thus far has been from the point of view of public and enforcement agencies. An additional problem exists in regard to costs and delays in relation to subdivision planning. It is reported that many subdividers in California have limited activities because of the multiplicity of restrictions. Costs are most certainly shared by individuals buying homes.

Restrictions and procedures applicable to subdividers will vary from county to county and from city to city. The following outline of steps indicates the scope of approvals necessary in a typical situation.

### **Acquisition of Land**

Land is acquired by a development company, in many cases subject to a blanket mortgage held by a financial institution. Title company requirements may be met at this point.

### **Engineering and Planning of the Subdivision**

The subdivider hires a licensed surveyor or engineer to check the feasibility of road layouts, grading and filling, and other landscaping. Plans and suggestions are made on the division of land into individual parcels for sale with regard to the topography, drainage, natural growth of trees, etc. A check with the city engineer is made to determine whether or not the land is subject to sliding.

The surveyor surveys the tract and prepares the required maps. These will include a tentative map showing the tract number, a brief property description, and the proposed layout of the subdivision, streets, alleys, easements granted, etc. A contour map may also be prepared to accompany the tentative map.

At this stage, although he is not required to do so, the subdivider will normally make certain estimates of time and expense. He will make estimates of the time required to complete the subdivision and begin sales, to fulfill all the legal requirements, and to have the map completed and recorded. At the same time, estimates will also be made of the following expenses:

- survey and general engineering
- monumenting
- installation of utilities
- general grading and preparation of the land for sale
- recording and notarial fees
- real estate brokerage commissions
- tax and assessment bonds
- district bonds
- surety bonds for improvement
- fees for map checking
- proceedings for dedication of streets
- direct or special assessments
- other selling costs <sup>1</sup>

### **Submission of Tentative Map**

The tentative subdivision map is submitted to the city or county planning commission. This may or may not require special hearing or land use permit. It may also be necessary to secure the approval of the local legislative body—the county board of supervisors or city council. Very frequently local authorities will require certain alterations on the basis of the tentative map before granting their approval.

After approval is granted, the final map is drawn up and the required monuments set.

### **Lending Institution Requirements**

If the subdivision is to be insured by the F.H.A., a whole series of requirements must be met. These are reported to vary somewhat with the local offices of F.H.A., and subdividers have reported that they have variations in requirements within the same F.H.A. office. The usual practice is

<sup>1</sup> Additional details are set forth in State of California Division of Real Estate, Reference Book (Sacramento: Division of Real Estate, 1952), pp. 229 and 230.

to require certain exhibits which will include as a minimum a subdivision map, a location map, the applicable restrictions, and the FIA 2084 form. After the subdivision and development plan are submitted to the FIA for analysis, a report is issued to the subdivider telling him what he must do to gain approval.

The private lending institution which finances the subdivision will have its own requirements to be met by the subdivider. These will differ from institution to institution, but certain requirements are typical. Exhibits will usually be required similar to those prescribed by the FIA, such as the subdivision maps, location maps, and applicable restrictions. In addition, the institution may require specifications and plans in some detail, cost estimates, and time schedules for both the preparation of the land and construction of improvements.

The Veterans Administration has played a very important part in subdivision regulation of recent years. Numerous tracts improved with homes have been financed under VA guarantees. In many areas this agency has carefully investigated new subdivisions, whereas in others it has been rather lax.<sup>2</sup>

#### **Other Preliminary Steps**

Concurrent steps may include checking with the county or city road officials with respect to road requirements, conferring with the local health officer regarding the sanitation regulations, and obtaining approval of the Water Pollution Board with reference to run-off. The distances from the proposed subdivision to elementary schools, high schools, and the availability of public transportation facilities are determined for submission to various agencies. In anticipation of Division of Real Estate requirements, letters must be obtained from the various utility companies to assure the availability of services. It is usually necessary to obtain a flood hazard report from the county flood engineer, if such an official exists in the county where the subdivision is located.

#### **Legal Steps in Accordance With the Real Estate Law**

Before land is sold and deposits accepted there are requirements to be met under the terms of the Real Estate Law, as have been previously indicated. A questionnaire must be prepared for the Division of Real Estate and a filing fee paid. Required documents to be submitted may include the following:

1. Recent certificate of title, policy of title insurance or preliminary title report.
2. Current mortgage, trust deeds, contract or option to purchase showing indebtedness with adequate release provisions.
3. Preliminary and final contract of sale or deed and trust deed to be used to convey property to owners.
4. Conditions, reservations, and covenants, restrictions that affect building, use or occupancy.
5. Map as required by the city or county in which the subdivision is located.
6. Letters from public utilities companies stating that arrangements have been completed; that ample service is available, and that it will be furnished on demand.

<sup>2</sup> The FHA has outlined subdivision standards in its Land Planning Bulletin No. 3. A recent VA order has adopted portions of these standards in that agency's subdivision requirements. See announcement in National Association of Real Estate Boards, *Headlines*, December 8, 1952.

7. List showing sales price of each lot.
8. Statement of local health department relative to sewage disposal if public sewers are not available.
9. Contract between subdivider and selling agent.

Inspection by the Division of Real Estate may follow to determine if the subdivision is suitable for the construction proposed and to ascertain the correctness of the information and data furnished by the subdivider.

As has been noted earlier, the division's public report on the subdivision must be given to each prospective purchaser and his receipt taken for it before a parcel may be sold.

#### **Recording Requirements**

The final map of the subdivision must be filed with the county recorder in accordance with the provisions of the Subdivision Map Act. Restrictions imposed upon the subdivision must also be recorded. Deeds of trust for the subdivision also require recordation.

#### **SUMMARY**

This brief outline of the major steps in the development of a subdivision indicates that even in the ordinary course of events the path of subdivision development is fraught with expense, delays, and confusion. Subdividers estimate that from six months to a year is typically required to complete the steps outlined above.

In addition to the usual procedures noted above which vary from jurisdiction to jurisdiction, a whole host of extra problems may crop up in connection with special locations. The sheer variety of procedures which must be followed is expensive in terms of manpower and time. Fees at every turn add to costs.

Subdividers point out that delays arise in clearing with planning commissions, in securing FHA commitments, and in obtaining approval of such regulatory agencies as the Water Pollution Board, local health departments, Division of Highways, and others.

Further, it appears that the regulations of the various supervisory authorities are not coordinated as between agencies. A requirement under one agency's rules might conflict under those of another. Similarly, two or more agencies may each require the prior approval of the other with the result that the subdivider is at a stalemate.

#### **V**

#### **SHORTCOMINGS OF CONTROLS**

The major purpose of the present report is to describe the subdivision problem from the point of view of regulatory agencies, the subdivider-builder, and the public. The over-all objectives of subdivision control were indicated in Chapter I. At the heart of good subdivision control lies the granting of reasonable protection to the investor and the insurance of sound community development. Subdividers, purchasers, investors, and government are all interested parties.

The preceding examination of the various legislative and administrative controls, the problems of enforcement in the Division of Real Estate, and the difficulties encountered by the subdivider has established that



present controls are not fulfilling their purpose to the extent that they were designed to protect the public and assure orderly development.

Relative responsibilities of state and local jurisdictions are not clearly defined. As a result of this and other factors, enforcement is ineffective in terms of the accomplishment of the broader objectives. Differences in definitions create conflicts for participants in the subdivision process. Regulations of agencies only collaterally concerned with subdivision development are uncoordinated, causing delays and duplication. There is no uniformity of standards for development at various levels of control, and minimum standards are lacking or dissimilar. Enforcement of controls varies greatly in the different county and city jurisdictions. A system of subdivision controls requiring "one time prior approval" fails to provide for any continuing supervision in the interests of either the community or the individual investor. Examination of the plight of the subdivider reveals current practices are sometimes unnecessarily wasteful, time-consuming, expensive, and do not always achieve the basic objective.

The emphasis in this report has been upon current administrative problems in the protection of home buyers. More fundamental criticism of the structure of controls would call attention to the fact that existing subdivision practices and controls do not provide for orderly community development or for any standard in urban and suburban amenities. Home buyers who move to the country to escape high urban taxes find that rapid and unplanned expansion in suburban community facilities soon results in high taxation and destroys attractions of suburban living. A consideration of the subdivision problem in these broader terms poses many basic questions which cannot be explored fully in this memorandum and which go much beyond present objectives of public subdivision controls.

#### **Shortcomings of State Legislation**

State legislation, Regulations of the Real Estate Commissioner, and direct local controls are the core of direct subdivision controls in California, supplemented in only minor degree by private deed restrictions and by other regulations.

The jurisdiction of the Division of Real Estate is limited to investigating and disclosing to the public the facts concerning a subdivision and to ordering the sale stopped if it appears it will constitute fraud. However, the division is the only state agency which has a semblance of overall control in the approval of subdivision activity. Many divisions of land are not controlled by the division because of exceptions in the law. Once the subdivision is completely sold out, the commissioner has no further jurisdiction, and although fraud and bad practices may be revealed subsequently, he can take no action. His public report can only warn purchasers of undesirable features which he can detect through his investigation.

A report made by the Real Estate Commissioner on a subdivision summarizes for the purchaser pertinent facts concerning the subdivision and attempts to point out the bad features. However, the buying public

cannot always rely implicitly upon the report or secure the protection the law is designed to give for various reasons, summarized as follows:

1. Control of detrimental features may extend beyond the limits of the jurisdiction of the various agencies controlling land subdivisions;
2. Political influences in some jurisdictions may prevent correction of bad features against the better judgment of technical employees;
3. Poor service due to understaffed agencies and, in some cases, incompetency of officials administering the law;
4. Permitting subdivisions to be launched in unfavorable locations unsuited for residential development, due to need for home building in the area and scarcity of favorable locations.

#### **Conflicts in Legislation**

Examples of conflicts in definitions are offered in a comparison of the Subdivision Map Act and the Real Estate Law. Important differences exist between the two pieces of legislation which cause considerable confusion on what constitutes a subdivision. In both cases the basic definition is land divided into five parcels, but there are important exceptions in the Map Act, which contains a number of exemptions under certain specified conditions. In either case the definition of subdivision into five parcels leads to numerous evasions in which four parcels are created, each of which is later divided into four more, etc. (The Division of Real Estate reports there are many examples of this type of evasion in the San Fernando Valley and Antelope Valley.)

Opportunities for evasion are also provided by the Map Act which covers subdivisions "for sale" but does not consider those "for lease" as does the Real Estate Law. Control by cities and counties is greatly limited in the case of land subdivided by means of a Record of Survey map. Jurisdiction over lot sizes, drainage, and street alignment is still maintained, however. The Real Estate Commissioner does not lose any jurisdiction over such land subdivisions.

Noncompliance with various subdivision laws constitutes a misdemeanor in every case, and prosecution usually results in a very light or suspended penalty. Some developers prefer to accept such penalties, as it results in a great saving to them.

Duplication of effort, delays and consequent pressure because of delays are also problems created by the existence of the two uncoordinated sets of laws.

#### **Problems of Local Control**

A great deal of further analysis should be made of subdivision controls at the county and municipal levels of government in California. A number of local jurisdictions in the State have proved highly effective in controlling new development of the land within their borders. However, the problems arising within other areas make it apparent that local legislation has not met the challenge of good community development.<sup>1</sup> Subdividers who operate in these areas can testify to the inadequacies

<sup>1</sup> The intensity of this problem is reflected in legislative recommendations of the League of California Cities in a resolution passed at its annual conference on October 15, 1952. One portion of this proposal recommends the establishment of state-wide minimum standards of subdivision control, preserving to the cities and counties the power to adopt additional and higher standards not in conflict.

of controls. Purchasers experiencing the impact of floods, sanitation problems, lack of fire protection, or access hazards are unconvinced that their legislative representatives have assured the protection that a home-buyer might reasonably expect. From the standpoint of all concerned there is no consistency from jurisdiction to jurisdiction.

Even where seemingly good subdivision or related ordinances appear on the record, variations from set practice may be readily set aside at the whim of local bodies, leaving no guarantee that good development will follow.

#### Other Shortcomings

The confusion and contradictions between state and local legislation is heightened by regulations of a large number of other agencies which at one point or another have a hand in subdivision development. These cause administrative difficulties. It has already been noted that the subdivider has a particular dilemma in this connection.

The subdivider too is in an untenable position. He is faced with not knowing which controls apply to his development. He is perplexed by the complexities of procedure and overlapping jurisdictions and delays caused by the various agencies with which he must deal. Consequently, his costs increase and the added expense is reflected in the selling price to the eventual purchaser.

It has been seen that inadequate local building ordinances and the lack of building site preparation standards plus a lack of drainage, flood control, or sanitation regulation has made it possible for subdivisions of questionable value on marginal lands to develop. Local reforms have been prompted in some instances after damage has been done and complaints received. However, these steps may not be enacted in the form of an ordinance. Nor will they be uniformly applied throughout the State.

Perhaps a lack of uniformity in control, a lack of minimum standards and a lack of over-all control constitute the most serious shortcomings of the existing legislation. To the prospective home buyer the advice of *caveat emptor* applies as it does to the purchaser of few other commodities. And yet, more frequently than not the product he buys is the largest and most important purchase of his lifetime. The average house buyer does not have the engineering or other technical skill which will permit him to make the best decision as to the quality of the product involved. Usually he is not equipped to make a complete survey of the community in which it is located to determine whether all the essential facilities are present. He finds that there is no single authority charged with the over-all responsibility to whom he can turn.

The complexity and nature of these problems will necessitate fundamental agreement on the objectives of over-all controls and the relative responsibilities of various jurisdictions. The accomplishment of these objectives will require substantial additional research and extensive consultation among federal, state, and local governmental agencies and individuals affected.

**REPORTS OF STANDING COMMITTEES****Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 563

Senate Bill No. 1718

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 26

Senate Bill No. 1269

Senate Bill No. 519

Senate Bill No. 1270

Senate Bill No. 571

Senate Bill No. 1485

Senate Bill No. 1150

Senate Bill No. 1486

Senate Bill No. 1165

Senate Bill No. 1941

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1164

Assembly Bill No. 866

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 12

Senate Bill No. 14

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1361

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bill re-referred to Committee on Finance.



SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 140

Senate Bill No. 527

Senate Bill No. 1894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 575

Senate Bill No. 576

Senate Bill No. 1363

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 199

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 304

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 303

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 260

Senate Bill No. 1176

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 185

Senate Bill No. 307

Senate Bill No. 238

Senate Bill No. 1778

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 231

Senate Bill No. 241

Senate Bill No. 237

Senate Bill No. 560

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported resolution ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 202

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 5; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 522**

Senator McBride moved that Assembly Bill No. 522 be withdrawn from Committee on Judiciary and re-referred to Committee on Financial Institutions.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 192**

Senator Way moved that Senate Bill No. 192 be withdrawn from Committee on Fish and Game for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 192**—An act to amend Section 534 of the Fish and Game Code, relating to the obstruction, diversion, or prevention of the natural flow of streams.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, between lines 14 and 15, insert "This section does not prohibit the building of structures and the leasing of land under the provisions of Division 6 of the Public Resources Code where the stream concerned is a navigable one."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1329**

Senator Gibson moved that Senate Bill No. 1329 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1329**—An act to add Sections 50022.1 to 50022.8, inclusive, to the Government Code, relating to the enactment of ordinances by local agencies.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1, of the title of the printed bill, strike out "the Gov.", and insert ", and to repeal Sections 36970, 36971, 36972, and 50022 of, the Gov-".

**Amendment No. 2**

On page 1 of said bill, strike out lines 8 and 9, and insert "the adopting local agency. The application of this article to published compilations of any private organization or insti-".

**Amendment No. 3**

On page 2, line 5, of said bill, before the period, insert a semicolon and "provided, that the title of an ordinance adopting existing ordinances of an adopting agency as a code need not specify secondary codes."

**Amendment No. 4**

On page 2, line 31, of said bill, strike out "provided, that", and insert "and, except as to the adoption of a code of existing ordinances of the adopting agency,".

**Amendment No. 5**

On page 3, line 12, of said bill, before the period, insert a comma and "not to exceed the actual cost thereof to the adopting local agency."

**Amendment No. 6**

On page 3, line 17, of said bill, after "amendment", insert "or amended code".

**Amendment No. 7**

On page 3, after line 26, of said bill, insert

"Sec. 9. Sections 36970, 36971, 36972, and 50022 of said code are repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1435**

Senator Kraft moved that Senate Bill No. 1435 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1435**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54384, 54420, 54421, 54422, 54423, 54427, 54431, 54432, 54434, 54467, 54478, 54514, 54515, 54519, 54522 and 54552 of the Government Code and by adding Section 54615 to the Government Code, all relating to the authorization, issue, and sale of revenue bonds by local agencies.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, after "54478," insert "54513,".

**Amendment No. 1a**

In line 4 of the title of said bill, after "54515," insert "54516,".

**Amendment No. 2**

In line 6 of the title of said bill, strike out "Section", and insert "Sections".

**Amendment No. 3**

In line 6 of the title of said bill, after "54615", insert "and 54516.1".

**Amendment No. 4**

In line 6 of the title of said bill, strike out "all relating to", and insert "relating to the acquisition, construction, improvement and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the issuance, sale, protection and payment or redemption of revenue bonds."

**Amendment No. 5**

Strike out lines 7 and 8 of the title of said bill.

**Amendment No. 6**

On page 3, line 38, of said bill, strike out "and", and insert "the".

**Amendment No. 7**

On page 5 of said bill, between lines 24 and 25, insert

"Sec. 20. Section 54513 of the Government Code is amended to read:  
54513. *Subject to the provisions of Section 54516.1, the local agency shall operate the enterprise in an efficient and economical manner.*"

**Amendment No. 8**

On page 5, line 25, of said bill, strike out "20.", and insert "21."



**Amendment No. 9**

On page 5, line 27, of said bill, after "54514.", insert "*Subject to the provisions of Section 54516.1.*"

**Amendment No. 10**

On page 5, line 32, of said bill, strike out "21.", and insert "22."

**Amendment No. 11**

On page 5 of said bill, after line 50, insert

"SEC. 23. Section 54516 of the Government Code is amended to read:

54516. *Subject to the provisions of Section 54516.1*, the local agency shall operate, maintain and preserve the enterprise in good repair and working order.

SEC. 24. Section 54516.1 is added to the Government Code, to read:

54516.1. Subject to the provisions and limitations of any resolution authorizing the issuance of bonds, the local agency may contract, upon such terms and conditions as it may determine, with any person, firm or corporation, for the corporation or management of an enterprise. Each such contract shall provide that all consideration to be paid thereunder shall be payable solely from the revenues of the enterprise, and all consideration under any such contract payable by the local agency shall be paid only from such revenues. A local agency shall not by any such contract transfer or attempt to transfer to any person, firm or corporation, or in any way restrict the exercise of the local agency's legal powers and duties concerning:

- (a) The issuance and sale of bonds to provide funds for the acquisition, construction, improving or financing of the enterprise;
- (b) The payment of the principal of and interest on such bonds;
- (c) The receipt, handling and disbursement of and accounting for the proceeds of sale of the bonds;
- (d) The fixing of fees, tolls, rates, rentals and other charges for the services, facilities or water furnished by the enterprise;
- (e) The accounting for the revenues, receipts and other funds of the enterprise; and
- (f) The making and enforcing of ordinances and regulations to protect and promote public health and safety in connection with the enterprise and its operation."

**Amendment No. 12**

On page 6, line 1, of said bill, strike out "22.", and insert "25."

**Amendment No. 13**

One page 6, line 14, of said bill, strike out "23.", and insert "26."

**Amendment No. 14**

On page 6, line 27, of said bill, strike out "24.", and insert "27."

**Amendment No. 15**

On page 6, line 39, of said bill, strike out "25.", and insert "28."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1769**

Senator Burns moved that Senate Bill No. 1769 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1769**—An act to add Section 3044.5 to the Business and Professions Code, relating to the practice of optometry.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "3044.5", and insert "2553.1".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "the practice of optometry", and insert "dispensing opticians".

**Amendment No. 3**

On page 1, line 1, of said bill, strike out "3044.5", and insert "2553.1".

**Amendment No. 4**

On page 1, line 3, of said bill, strike out "3044.5", and insert "2553.1".

**Amendment No. 5**

On page 1, line 4, of said bill, strike out "or as an optometrist".

**Amendment No. 6**

On page 1, line 5, of said bill, strike out "to practice optometry", and insert "engage in the business of a dispensing optician".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1903**

Senator Kraft moved that Assembly Bill No. 1903 be withdrawn from Committee on Public Health and Safety and re-referred to Committee on Public Utilities.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1907**

Senator Desmond moved that Senate Bill No. 1907 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1907**—An act to amend Sections 20003 and 20045 of, and to add Section 20045.1 to, the Water Code, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts relating to water.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

At the end of line 7 of the title of the printed bill, delete the period, and insert ", and declaring the urgency of this act, to take effect immediately."

**Amendment No. 2**

On page 1, line 9, of said bill, strike out the words "use, industrial or recreational," and insert the words ", industrial or recreational use,".

**Amendment No. 3**

On page 1 of said bill, strike out lines 21 and 22.

**Amendment No. 4**

On page 1 of said bill, after line 20, insert  
"No bond issue of any district shall be approved for certification unless one of the following exists:

(a) The bonds to be authorized are payable both as to principal and interest solely from revenues and not directly or indirectly from assessments and the commission finds

that in its judgment the proposed revenues pledged to payment of interest on and principal of such bonds, after deducting a reasonable annual allowance for the cost of operation and maintenance, if any, which must be paid from the revenues, will be equal to at least one and two-tenths times the annual debt service requirements for principal, interest, sinking funds, and reserve funds of all the bonds, including the bonds to be authorized, payable from such revenues, and such revenues will in the judgment of the commission fulfill all other conditions applicable to all bonds, including the bonds to be authorized, payable from such revenues.

(b) The bonds to be authorized together with any other outstanding bonds and bonds authorized but not sold, exclusive of bond issues payable solely from revenues and not from assessments, do not exceed 50 percent of the aggregate value of the property owned by the district, the property to be acquired and constructed with the proceeds of the bonds proposed to be issued by the district, and the reasonable value of the land within the district, but exclusive of the value of the property of the district the cost of which was financed directly by bond issues payable solely from revenues and not assessments.

The foregoing limitation shall not apply to revenue bond issues payable solely from revenues to be derived from the proceeds of a contract with a corporation authorized to do business in this State, if, in the judgment of the commission, said revenues will be sufficient to pay all principal of and interest on said bonds as the same becomes due and payable and to fulfill all other conditions applicable to the issuance of said revenue bonds."

#### Amendment No. 4.5

On page 2 of said bill, strike out lines 1 to 34, inclusive.

#### Amendment No. 5

On page 2 of said bill, after the end of the text of Amendment No. 3 (above), insert "Sec. 3. Section 20064 of the Water Code is amended to read:

20064. All bonds certified in accordance with this chapter are legal investments for all trust funds, for the funds of all insurance companies, banks both commercial and savings, trust companies, the state school funds, and any funds which may be invested in bonds of cities, cities and counties, counties, school districts, or municipalities in the State. *The limitations specified in subparagraph (c) of Section 1359 and in subparagraphs (c) and (d) of Section 1362 of the Financial Code shall not apply to bonds certified in accordance with this chapter.*

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The demands of an ever increasing population require the rapid development of the water resources of this State. A number of public districts have such developments under way and will be issuing bonds to finance the same prior to the time that laws passed in the 1953 Session would ordinarily become effective. The success or failure of such projects depends upon selling tax free bonds at low rates of interest. The market for such bonds is limited largely to insurance companies as a result of the low rates of interest and due to the arbitrary and conflicting restrictions of the Financial Code that prevent investment of savings banks cash in such bonds irrespective of the quality of the bonds and the security behind them. In order to broaden the market for such bonds and thereby further reduce the rate of interest demanded, it is essential that savings banks be permitted to invest limited amounts in such bonds that have, after investigation by the California Districts Securities Commission, been found to be sound securities for safe investment of savings banks funds."

Amendments read, and adopted.

Bill ordered printed and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 528

Senator Byrne moved that Senate Bill No. 528 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 528**—An act to amend Sections 461, 464, 464.5, and 736.12 of the Agricultural Code, relating to the serving and sale of market milk and to the determination of minimum prices for market milk.

Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "736.12", and insert "4357".

**Amendment No. 2**

On page 1, line 10, of said bill, strike out "or receptacle".

**Amendment No. 3**

On page 1, line 11, of said bill, after the period, insert "Such milk dispensing devices shall be installed and located in a place and manner acceptable to the local health authority."

**Amendment No. 4**

On page 2, line 2, of said bill, strike out "or receptacle".

**Amendment No. 5**

On page 2 of said bill, strike out lines 3 and 4, and insert "of the provisions of Sections 4125 to 4142, inclusive, and Section 4280.

(c) Homogenized market milk served from a milk dispensing device which has been approved for such use by the director shall be dispensed directly from such dispensing device into the glass or other container from which the customer drinks the milk and shall be served in minimum quantities of 8 ounces in each such glass or container."

**Amendment No. 6**

On page 2, line 16, of said bill, strike out "or receptacle".

**Amendment No. 7**

On page 2, line 18, of said bill, strike out "of the Agricultural Code".

**Amendment No. 8**

On page 2, line 27, of said bill, strike out "or milk receptacle".

**Amendment No. 9**

On page 2, of said bill, between lines 28 and 29, insert

"SEC. 4. Section 4357 of the Agricultural Code is amended to read:

4357. The director shall take into consideration the reasonable cost of handling of fluid milk or fluid cream, or both, incurred by distributors in hauling, processing, selling and delivering to restaurants, confectioneries or other places for consumption on the premises wherein it is required by law that service to customers be made from the original container or from milk dispensing devices which have been approved for such use by the director in accordance with Section 461. In fixing the minimum wholesale price to be paid distributors by such persons, the director shall take into consideration such legal requirements and other factors and distribution costs peculiarly affecting service to such persons, and if the director reasonably determines that such factors and costs require that the minimum wholesale prices to be paid distributors by such persons vary from the minimum prices established for other wholesale customers, the prices established to be paid by such persons may vary accordingly. *The prices established to be paid by such persons for milk sold in containers designed for use in milk dispensing devices approved for such use by the director under Section 461 may vary from any of the minimum wholesale prices referred to in this section if the director reasonably determines that the factors and costs involved in such sales require that these prices vary from any of the minimum wholesale prices referred to in this section.*

SEC. 5. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby."

**Amendment No. 10**

On page 2 of said bill, strike out lines 29 to 50, inclusive, and strike out all of pages 3 and 4.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 526**

Senator Thompson moved that Senate Bill No. 526 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 526**—An act to amend Section 26472 of the Health and Safety Code, relating to adulterated foods.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 9, of the printed bill, after "substance", insert ", except those approved by the State Department of Public Health,".

**Amendment No. 2**

On page 2 of said bill, strike out lines 16 to 22, inclusive, and insert "use of common salt, sugar, wood smoke, a vinegar, pure spices, spice oils, saltpeter, nitrate of soda, nitrite of soda and potassium nitrite in meat products such as sausage, sausage loaves, corned, brined or pickled meats, ham, bacon and the like. No such sub-".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL AND RE-REFERENCE OF  
SENATE BILLS NOS. 1806 AND 1923**

Senator Harold T. Johnson moved that Senate Bills Nos. 1806 and 1923 be withdrawn from Committee on Transportation and re-referred to Committee on Local Government.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1086**

Senator Powers moved that Senate Bill No. 1086 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1086**—An act to repeal Section 2980.5 of the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Bill read second time.

**Motion to Amend**

Senator Powers moved the adoption of the following amendments:

**Amendment No. 1**

On line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2980.5 of the Civil Code is amended to read:

2980.5. (a) As used in this section "contract" means any agreement for the conditional sale[,] or leasing [, bailment or feeding] of livestock or other animate chattels, or any agreement for the bailment or feeding of cattle of such breeds or cross-breeds as are primarily used for the production of milk for human consumption (hereinafter termed "dairy cattle"); "vendor" means the conditional seller[, or lessor[, bailor or

person owning] of any such chattels, or the bailor or person owning dairy cattle under a feeding agreement; "vendee" means the conditional buyer[,] or the lessee[, the bailee or the person feeding] of any such chattels or the bailor or person feeding dairy cattle.

(b) Unless any such contract is recorded in accordance with the subsection (d) of this section within 10 days after the contract is executed, every provision therein reserving title or property in any such chattels to the vendor after possession of the chattels is delivered to the vendee shall be void as to any purchaser, creditor or encumbrancer who, without actual knowledge of such provision, in good faith and for value purchases the chattels from the vendee or acquires a security interest therein or lien thereon by pledge, attachment, levy or mortgage, before the contract is so recorded, and as to any other creditor who, without actual knowledge of such provision, in good faith and for value becomes a creditor after possession of the chattels is delivered to the vendee and before the contract is so recorded, and as against any such purchaser, creditor or encumbrancer title or property in any such chattels shall be conclusively presumed to have been transferred to the vendee unless the contract is so recorded.

(c) Without limiting the generality of subsection (b) of this section, for the purposes of this section a mortgagee, under a mortgage of livestock or other animate chattels which provides that such mortgage shall cover or become a lien on any such chattels subsequently acquired by the mortgagor, shall be deemed to acquire a lien upon any such chattels, the possession of which is thereafter delivered to the mortgagor under any contract as above defined, at the time possession thereof is acquired by the mortgagor, and such lien shall be prior and superior to the right, title or interest of the vendor under any such contract unless the contract is recorded within 10 days after the contract is executed.

(d) Any such contract must be acknowledged or proved, certified, recorded and re-recorded in the same manner as mortgages of animate personal property other than crops growing or to be grown. Sections 2959a and 2965 of the Civil Code are hereby made applicable to the instruments required to be recorded by this section in the same manner as to mortgages of personal property."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

**Senate Joint Resolution No. 26:** By Senators Breed, McBride, Way, Tenney, and Regan—Relative to submerged lands.

Referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 39  
Assembly Bill No. 86  
Assembly Bill No. 410  
Assembly Bill No. 416  
Assembly Bill No. 417  
Assembly Bill No. 418  
Assembly Bill No. 419  
Assembly Bill No. 420  
Assembly Bill No. 421  
Assembly Bill No. 422  
Assembly Bill No. 424  
Assembly Bill No. 427  
Assembly Bill No. 428  
Assembly Bill No. 429  
Assembly Bill No. 431  
Assembly Bill No. 434  
Assembly Bill No. 435  
Assembly Bill No. 437  
Assembly Bill No. 438  
Assembly Bill No. 787  
Assembly Bill No. 844

Assembly Bill No. 849  
Assembly Bill No. 883  
Assembly Bill No. 1032  
Assembly Bill No. 1177  
Assembly Bill No. 1262  
Assembly Bill No. 1293  
Assembly Bill No. 1598  
Assembly Bill No. 1872  
Assembly Bill No. 1881  
Assembly Bill No. 1885  
Assembly Bill No. 1897  
Assembly Bill No. 1899  
Assembly Bill No. 1900  
Assembly Bill No. 1901  
Assembly Bill No. 1902  
Assembly Bill No. 1924  
Assembly Bill No. 1925  
Assembly Bill No. 1926  
Assembly Bill No. 1927  
Assembly Bill No. 1928  
Assembly Bill No. 1929

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1991  
Assembly Bill No. 2004  
Assembly Bill No. 2092  
Assembly Bill No. 2576

Assembly Bill No. 2762  
Assembly Bill No. 2763  
Assembly Bill No. 2960

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 39**—An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 86**—An act to amend Section 2205 of the Education Code, relating to powers of governing boards.

Referred to Committee on Education.

**Assembly Bill No. 410**—An act to amend Section 14549 of the Health and Safety Code, relating to the division of funds and property of a fire protection district upon withdrawal of territory.

Referred to Committee on Local Government.

**Assembly Bill No. 416**—An act to add Section 17310.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 417**—An act to amend Sections 17316, 17317, 17321.3, 17321.5, 17321.7 and 17357 of, and to add Section 17321.9 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 418**—An act to amend Section 17721 of, and to add Sections 17360, 17724.1 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 419**—An act to amend Section 17122 of, and to add Sections 17324.18, 17697.1, 17727 and 17729 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 420**—An act to add Sections 17125.9 and 17746.5 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 421**—An act to amend Section 17748 of, and to repeal Section 17672 of, and to add Sections 17672, 17672.1, 17672.2,

17672.3, 17672.4 and 18586.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 422**—An act to add Section 17746.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 424**—An act to amend Sections 17732 and 17733 of, and to add Sections 17719.1 and 17728 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 427**—An act to add Sections 23733a and 23734a to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 428**—An act to add Section 24121f.1 to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 429**—An act to amend Section 24181 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 431**—An act to amend Sections 17053.5, 17319.5, 17951, 17952.1 and 17954 of, and to add Sections 17019.9 and 17019.10 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 434**—An act to amend Section 18691.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 435**—An act to repeal Section 18692 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 437**—An act to amend Sections 18831 and 19111 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.



**Assembly Bill No. 438**—An act to add Section 19053.9 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 787**—An act to amend Section 1 of Chapter 842 of Statutes of 1951 and to add Section 5931.5 to the Elections Code, relating to elections.

Referred to Committee on Elections.

**Assembly Bill No. 844**—An act to amend Section 11374 of the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 849**—An act to amend Sections 18051, 18053, and 18057 of the Education Code, relating to school district contracts.

Referred to Committee on Education.

**Assembly Bill No. 883**—An act to amend Section 1552.4 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1177**—An act to amend Section 7 of the Los Angeles County Flood Control Act, relating to the issuance of bonds, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

**Assembly Bill No. 1032**—An act to add Section 16145 to the Education Code, relating to student organizations.

Referred to Committee on Education.

**Assembly Bill No. 1262**—An act to amend Chapter 126, Statutes of 1935, and to amend Sections 643, 643a, and 643b of the Penal Code, relating to the use of canes and batons by blind persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1293**—An act to amend Sections 1867 and 3132 of the Education Code, relating to canvass of the returns of school trustee elections.

Referred to Committee on Education.

**Assembly Bill No. 1598**—An act to amend Sections 12, 13, 14, 16, 17, and 18 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to the taxing powers, issuance of bonds, and financing for flood control projects, declaring the urgency thereof to take effect immediately.

Referred to Committee on Water Resources.

**Assembly Bill No. 1872**—An act to codify Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939, relating to housing authorities, by adding Chapter 1.5 to Part 2 of Division 24 of the Health and

Safety Code, and by adding Sections 34369, 34370, and 34371 thereto, and repealing Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1881**—An act to codify certain statutes, relating to public ways and appurtenances thereto, by adding Section 194.1 to the Streets and Highways Code, amending the heading of Division 3 of said code, adding Chapter 5 to Division 3 of said code, adding Division 12 to said code, adding Part 4 to Division 18 of said code, and to repeal certain acts specified herein.

Referred to Committee on Transportation.

**Assembly Bill No. 1885**—An act to codify Chapter 330 of the Statutes of 1933, relating to alcoholic beverages, by adding Division 9 to the Business and Professions Code, and repealing Chapter 330 of the Statutes of 1933.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1897**—An act to codify Chapter 1455 of the Statutes of 1947, relating to the United States Flood Control Receipts Fund, by adding Article 7, comprising Sections 16414 to 16417, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and repealing Chapter 1455 of the Statutes of 1947, and making an appropriation.

Referred to Committee on Water Resources.

**Assembly Bill No. 1899**—An act to codify Chapter 1215 of the Statutes of 1941, relating to the protection of domestic water supplies from pollution by placer mining operations, by adding Chapter 6.5 to Division 2 of the Public Resources Code, and repealing Chapter 1215 of the Statutes of 1941.

Referred to Committee on Water Resources.

**Assembly Bill No. 1900**—An act to codify Chapter 533 of the Statutes of 1873-4, relating to public lands, by adding Sections 7535, 7536, and 7537 to the Public Resources Code, and repealing Chapter 533 of the Statutes of 1873-4.

Referred to Committee on Local Government.

**Assembly Bill No. 1901**—An act to codify certain statutes, relating to surveying and mapping, by adding Division 8 to the Public Resources Code and repealing certain statutes specified herein.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1902**—An act to codify certain statutes relating to forestry, by adding Chapter 3.5, 7.5, and 10 to Division 4 of the Public Resources Code, and repealing certain statutes specified herein.

Referred to Committee on Natural Resources.

**Assembly Bill No. 1924**—An act to codify Chapter 1551 of the Statutes of 1949 by repealing said chapter and adding Chapter 5 to Division 7 of the Water Code, relating to the State Water Pollution Control Fund

and the use thereof for making loans to municipalities and districts for sewerage and storm drainage facilities.

Referred to Committee on Water Resources.

**Assembly Bill No. 1925**—An act to codify Chapter 1514 of the Statutes of 1945 and Chapter 142 of the Statutes of the 1946 First Extraordinary Session, relating to the control, conservation, and use of the water resources of the State, and continuing a special fund in the State Treasury for flood control projects and allocations for certain projects, by adding Part 6 to Division 6 of the Water Code, and repealing Chapter 1514 of the Statutes of 1945 and Sections 1 to 11, inclusive, and Sections 16 and 17 of Chapter 142 of the 1946 First Extraordinary Session.

Referred to Committee on Water Resources.

**Assembly Bill No. 1926**—An act to codify Chapter 1070 of the Statutes of 1943 by repealing said chapter and adding Section 8679 to the Water Code, relating to revenue of the Reclamation Board.

Referred to Committee on Water Resources.

**Assembly Bill No. 1927**—An act to codify Chapter 641 of the Statutes of 1937 by repealing said chapter and adding Chapter 3 to Part 1 of Division 5 of the Water Code, relating to the transfer by counties and cities to flood control districts of storm drain improvements, drainage improvements and drainage systems.

Referred to Committee on Water Resources.

**Assembly Bill No. 1928**—An act to codify Chapter 1677 of the Statutes of 1951 by repealing said chapter and adding Chapter 4 to Division 1 of the Water Code, relating to the regulation and licensing of interferences or attempts to interfere by artificial means with the natural condensation of rain, snow, water or moisture in any form contained in the atmosphere.

Referred to Committee on Water Resources.

**Assembly Bill No. 1929**—An act to codify Chapter 23 of the Statutes of 1949 by repealing said chapter and adding Chapter 3 to Division 1 of the Water Code, relating to water shortage emergencies.

Referred to Committee on Water Resources.

**Assembly Bill No. 1991**—An act to amend Section 35201 of the Health and Safety Code, relating to the powers and duties of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2004**—An act to repeal Part 8 of Division 3 of Title 2 of the Government Code, relating to the powers and duties of the Governor as to planning and research.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2092**—An act to amend Section 330 of the Penal Code, relating to gaming.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2576**—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Referred to Committee on Institutions.

**Assembly Bill No. 2762**—An act to amend Section 12142 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 2763**—An act to add Section 14344 to the Education Code, relating to deductions from retirement salaries.

Referred to Committee on Education.

**Assembly Bill No. 2960**—An act to add Section 13831.2 to the Education Code, relating to school district employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

#### ADJOURNMENT

At 5.14 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Thursday, March 12, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-FOURTH LEGISLATIVE DAY

THIRTIETH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, March 12, 1953

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

## ROLL CALL

The roll was called, and the following answered to their names :

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day :

Senator Mayo, on motion of Senator Johnson, due to illness.

Senator Coombs, on motion of Senator Johnson, due to legislative business.

Senator Gibson, on motion of Senator Cunningham, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Otto Gribi and Joseph Longfield of Hanford.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Pat Freeman and Hon. C. L. Diple of Santa Cruz.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mabel J. Adamson, Mrs. Earl Bither, Mrs. Earl L. Durfee, Effie Walton, Mrs. Willie Miller and Mrs. E. Pearl Hook, all of Los Gatos.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Barnett and Fred Gardner, teachers, and the following students of the Senior Class, Yuba City High School: Harriett Amundsen, Barbara Bouslaugh, Ann Carroll, William Duggins, John Duncan, Robert Earle, Donald Elder, Mohammed Khan, Sahar Khan, Donald Lee, Herman Mason, Dora Maupin, Otis McCain, Jim Mitchum, Jean Myers, Robert Patterson, Dolores Riedel, William Siler, Marvin Wardlow, Doris Warner, Phyllis Yeates, Carol Albers, Amos Bartlett, Angelo Cartosecelli, Yvonne Chimits, Rodney Christopherson, Douglas Davis, Harry Dhillon, Frank Duncan, James Evans, Druscilla Hornlein, Richard Gray, Billy Lytle, Kenneth Marler, Connie McDaniel, Charles Morgan, Garland Ogletree, Lois Perry, Nadine Pryde, Beverly Silva, Norman Tyler, Lelia Vessell, Diane Wood, Virene Yeates, Gerald Arnoldy, Ronald Bishop, Hugh Booth, Martha Burchfield, James Cohun, Elizabeth Curto, Sam Dote, Sally Fesmire, Joan Hamilton, Carolyn Harter, Darlys Harris, Glen Harrison, William Hawkins, Lewis Herman, Nona Hewitt, Laurie Jelavitch, Philip Lange, Kay Lindgren, Robert Mangi, Alta Mae Mark, Marjorie Pate, Joan Paxton, Carol Payne, John Poopyich, Julie Porter, David Resch, Marvin Smith, Alice Smotherman, Bill Sparkman, Roger Stillwell, Richard Teesdale, Arthur Wood, Alice Williamson, Barbara Woolford, and Jim Evans.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Willard H. Van-Dyke, superintendent; Chester G. Carlisle, deputy superintendent, and students Merle Enster, Dorothy Mansure, Martin Kamp, and Lowell Oxtoby of the Sir Francis Drake High School, Marin County.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman Gilbert of Escondido, San Diego County.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lanier Brady, Ripon; Thurlow Haskell, Lodi; Angelo Bressani, Manteca; John A. Thieman, Ripon; Gothard S. Tornell, Ripon; Carl Hansen, Manteca, and John McFall, Manteca.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss L. Alexander, teacher, Miss V. Ansel, principal, and the following Eighth Grade students of Wade Thomas School, San Anselmo: Eloise Allen, Carol Anderson, Larry Biagini, Gary Boero, Arnold Candray, Sharon Carter, Anne Chambliss, Mike Conners, Janet Crist, Janet Dobbie, Robert Freeman, Danya Hart, Lorna Haynes, Valerie Holt, Hank Klopstock, Joyce Martin, Margo Merle, Bill Moor, Joan Murman, Alice Pallavicini, Sheila Paul, John Peoples, Paul Pierce, Terry Ricketts, Carol Robinson, George Rodgers, Richard Rodgers, Kent Sather, Evelyn Silveira, Judy Smith, Paul Spengler, Judy Wessell, Valerie White, and David Wilson.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilmen Guy Vargas, Jim Kenny, and Fred Martin of Richmond.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roy Gargano, County Counsel of Kern County, Hon. J. Kelly Steele, Municipal Judge of Bakersfield, and Kit Nelson, Deputy County Counsel of Kern County.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Enoch S. Christoffersen and Councilmen Ray Carter and Ernest Uttendorffer, of Turlock.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Sally Howell, Harry Adams, and the following students of the David D. Bohannon School, San Lorenzo: Paula Adkins, Janice Archer, Gary Aughinbaugh, Gene Baird, Bonnie Bateman, Donald Bateman, John Bond, Loretta Byrd, Gary Anton Campi, Margaret Combs, Manuel Costa, Terrie Dutton, Margaret Eckstrom, Elizabeth Gier, Paul Gorhanson, George Heath, Patricia Lawrence, Joan Marie Matteson, Gerald Moyer, Sandra Pearson, Charles Pease, Jr., Leonard Peterson, Earlene Raby, Ben Raimondi, Nancy Richards, Nancy Rucker, Diane Schiess, Johanna Skaggs, Dennis Terazawa, Terry Tietzort, and Carolyn Crouch.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. E. Tarleton of San Jose.

On request of Senators Desmond and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John R. Carey of Lexington, Mass.; Mrs. Melvin Hall of Sacramento; Mrs. Charles C. Carey of Lexington, Mass., and Mrs. Eber Tarleton of San Jose.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray Bogee, City Manager of San Rafael and Mr. C. Webb, Tax Collector of San Rafael.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Robert Crooks, Mrs. Esther Sylvester and the following students of the Edendale School, San Lorenzo School District, Eighth Grade: Mike Bowles, Verner Bueman, Jerry Clement, Robert DeMarco, Gilbert Hohn, Gary Jose, Carl Larsen, Wayne Lima, Frank Lopez, Anthony Marziano, Gary Moore, Norman Nesbit, Robert Perry, William Souza, Ray Wade, Marlene Avelar, Elizabeth Ballas, Evelyn Bunch, Shirley Collinge, Sylvia Foote, Doris Galpin, Sandy Garrett, Judy Morse, Gail Myers, Helene Pagni, Vicki Robinson, Helen Rutledge, Linda Steinbough, Barbara Van Syckle, Pat Vasconsellos, and Alice Collins.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Les Brown and Mrs. Billie Masini of Fresno.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. J. Keith and Mr. and Mrs. A. A. Feraud, all of Ventura.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Bill Johansen, County Clerk, and J. F. Tremain, Assistant County Clerk, of Sonoma County.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Evelyn F. Harbury of Santa Barbara.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles P. Burgess, Mayor of Menlo Park.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wes McClure, City Manager of San Leandro, and Mayor Thom Knick of San Leandro.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. C. Wood and Elmer Hoen of San Bernardino.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William C. Evans, Riverside, and Herbert W. Pierson, City Auditor of Riverside.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. E. Mallagh and daughter, Margaret, of San Luis Obispo.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Leonard Zagortz, Barstow, and Earl E. Stanton, City Clerk of Barstow; Mayor Rudy Gazvoda, Fontana.

On request of Senators Desmond and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don McKay of Sacramento.

#### Call of the Senate

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 1.36 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

Secretary J. A. Beek at the Desk

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 3478

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

**Assembly Bill No. 3478**—An act to amend Section 9359.8 of the Government Code, relating to the Legislators' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 13  
 Assembly Bill No. 445  
 Assembly Bill No. 447  
 Assembly Bill No. 610  
 Assembly Bill No. 630  
 Assembly Bill No. 661  
 Assembly Bill No. 662  
 Assembly Bill No. 1048  
 Assembly Bill No. 1305  
 Assembly Bill No. 1384  
 Assembly Bill No. 1882  
 Assembly Bill No. 1883

Assembly Bill No. 1891  
 Assembly Bill No. 1892  
 Assembly Bill No. 1893  
 Assembly Bill No. 1999  
 Assembly Bill No. 2000  
 Assembly Bill No. 2109  
 Assembly Bill No. 2370  
 Assembly Bill No. 2376  
 Assembly Bill No. 2436  
 Assembly Bill No. 2928  
 Assembly Bill No. 3255

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 445**—An act to amend Sections 23038, 23039, 23186, 23251, 23854, 23854.1, 23881, 23911g, 24121a, 24121k.1, 24121k.5, 24121q, 24181b, 24181f, 25031f, 25031j, 25038, 25071, 25071q, 25101a, 25102, 25121a, 25122, 25201a, 25294a, 25295, 25902, 25961, 26080.3, 26163, 26253, and 26481, and to amend and renumber Section 25555a, and to renumber Sections 25031f-1 and 25071r-1, and to repeal Sections 25555 and 26481a of the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act takes effect immediately.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 447**—An act to amend Sections 17055, 17508, 17513, 18132.7, 18173, 18215, 18648, 18689, 18884, 19053.3, 19056, and 19083, and to renumber Section 17788, of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 610**—An act to amend Section 28153 of the Government Code, and Section 453 of the Education Code, relating to compensation and qualifications for public services in counties of the fifty-third class.

Referred to Committee on Local Government.

**Assembly Bill No. 630**—An act to amend Section 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Local Government.

**Assembly Bill No. 661**—An act to amend Section 66 of the Vehicle Code, relating to the definition of an owner of a vehicle.

Referred to Committee on Transportation.

**Assembly Bill No. 662**—An act to amend Section 67 of the Vehicle Code, relating to the definition of the legal owner of a vehicle.

Referred to Committee on Transportation.

**Assembly Bill No. 1048**—An act to add Section 10291.6 to the Insurance Code, relating to disability insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1305**—An act to amend Sections 31592, 31620, 31621, 31860 of the Streets and Highways Code, to add Sections 31710, 31784.1 and 31866 to said code, and to repeal Chapter 11 of Part 1 of Division 18 of said code, relating to vehicle parking districts, the financing of parking places, the condemnation of property therefor, the making of advances for the acquisition and improvement, the use of revenues from parking meters in the district and the addition of land to the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 1384**—An act to add Section 23835 to the Business and Professions Code, relating to the healing arts.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1882**—An act to codify certain statutes, relating to vehicles and vehicular traffic, by adding Chapter 10 to Division 3 of, and Sections 334.1, 586.05 and 804 to, the Vehicle Code, and repealing certain statutes specified herein.

Referred to Committee on Transportation.

**Assembly Bill No. 1883**—An act to codify Chapter 1188 of the Statutes of 1949, relating to the creation, powers and duties of the Franchise Tax Board, by amending Sections 17003 and 23031 of the Revenue and Taxation Code and adding Part 10 to Division 3 of Title 2 of the Government Code, comprising Sections 15700, 15701, and 15702, and by repealing Chapter 1188 of the Statutes of 1949.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1891**—An act to amend Section 5952 of the Labor Code and to repeal Section 9 of Chapter 606 of the Statutes of 1951, relating to judicial review of orders, decisions or awards of the Industrial Accident Commission.

Referred to Committee on Labor.

**Assembly Bill No. 1892**—An act to codify certain statutes relating to the health and safety of employees, by adding Article 5, comprising Sections 2440 and 2441, to Chapter 1 of Part 9, Division 2 of the Labor

Code, and by repealing Chapter 278 of the Statutes of 1913, and Chapter 485 of the Statutes of 1915.

Referred to Committee on Labor.

**Assembly Bill No. 1893**—An act to add Section 1018 to the Labor Code, relating to the wearing of labor union buttons, and to repeal an act entitled "An act to prevent persons from unlawfully wearing the button of any labor union of this State," approved March 20, 1909.

Referred to Committee on Labor.

**Assembly Bill No. 1999**—An act to amend Section 6330 of the Harbors and Navigation Code, relating to the issuance of port district bonds.

Referred to Committee on Transportation.

**Assembly Bill No. 2000**—An act to amend Section 6106 of the Harbors and Navigation Code, relating to the issuance of revenue bonds.

Referred to Committee on Transportation.

**Assembly Bill No. 2109**—An act to add Section 608.3 to the Vehicle Code and to amend Section 737 of the Vehicle Code, relating to trespassing upon vehicular crossings.

Referred to Committee on Transportation.

**Assembly Bill No. 2370**—An act to amend Section 248 of the Vehicle Code, relating to fees imposed on automobile wreckers.

Referred to Committee on Transportation.

**Assembly Bill No. 2376**—An act to amend Section 5070 of the Streets and Highways Code, relating to the giving of notice to owners of assessed property.

Referred to Committee on Transportation.

**Assembly Bill No. 2436**—An act to amend Section 413 of the Education Code, relating to the compensation of the county superintendent of schools.

Referred to Committee on Local Government.

**Assembly Bill No. 2928**—An act to amend Sections 673.5 and 674 of the Vehicle Code, relating to vehicles and the exhaust products, and equipment thereof.

Referred to Committee on Transportation.

**Assembly Bill No. 3255**—An act to amend Section 701 of the Vehicle Code, relating to trailers and towed vehicles.

Referred to Committee on Transportation.

**Assembly Concurrent Resolution No. 18**—Relative to requesting the Department of Public Works to obtain permission from appropriate military authorities for the traversing of certain military establishments with respect to the relocation of State Highway Route 56 and to investigate means of joint financing of such relocation.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 503

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 305

Senate Bill No. 1446

Senate Bill No. 1026

Senate Bill No. 1449

Senate Bill No. 1062

Senate Bill No. 1538

Senate Bill No. 1125

Senate Bill No. 1646

Senate Bill No. 1134

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 8**—Relative to granting the Territory of Hawaii statehood in the United States;**Senate Joint Resolution No. 14**—Relative to flood control works on the San Joaquin River;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twelfth day of March, 1953, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 1321**—An act to amend Section 54130 of the Government Code, relating to state loans for public works damaged or destroyed by earthquakes, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of March, 1953, at 12 m.

POWERS, Chairman

## Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 148

Senate Bill No. 1876

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 624

Senate Bill No. 1633

Senate Bill No. 814

Assembly Bill No. 1161

Senate Bill No. 900

Assembly Bill No. 1165

Senate Bill No. 1080

Assembly Bill No. 1167

Senate Bill No. 1533

Has had the same under consideration, and reports the same back with the recommendation: Do pass:

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 504

Senate Bill No. 1640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 201

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 3478

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

HULSE, Chairman

**Request for Unanimous Consent**

Senator Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 3478, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY BILL NO. 3478****Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Brown:

*Resolved*, That Assembly Bill No. 3478 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

**CONSIDERATION OF ASSEMBLY BILL NO. 3478**

**Assembly Bill No. 3478**—An act to amend Section 9359.8 of the Government Code, relating to the Legislators' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Assembly Bill No. 3478**—An act to amend Section 9359.8 of the Government Code, relating to the Legislators' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Cunningham Presiding**

At 1:45 p.m., Senator James E. Cunningham of the Thirty-sixth District, presiding.

**MOTION TO AMEND RULE 12 OF THE STANDING RULES**

Senator Powers moved pursuant to notice given on March 11, 1953, that Rule 12 of the Standing Rules of the Senate be amended as follows:

Rule No. 12 of the Standing Rules of the Senate for the 1953 Regular Session be amended to read:

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects, *except bills relating to horse racing or intoxicating liquors.*

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 11 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and Financial Code, and all bills amending the Corporate Securities Act, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees
- f. *Horse racing or intoxicating liquors*
- g. *All judges salaries*

9. Institutions, 9 members. All bills relating to the State Department of Mental Hygiene, or to institutions under its jurisdiction including:

- a. State Hospitals
- b. Home for the Feeble-minded
- c. Inebriate Colonies
- d. Institutions for Delinquents
- e. Home for the Blind
- f. Industrial Workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 9 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Corporations Code, except for Corporate Securities Act
- d. Probate Code
- e. Penal Code, and
- f. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to:

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

14. Natural Resources, 11 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

16. Public Utilities, 7 members. All bills amending the Public Utilities Code and other uncodified legislation relating to the same subject.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 13 members. All bills amending the

a. Vehicle Code

b. Streets and Highways Code

c. Harbors and Navigation Code, and

d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.

Motion read.

#### MOTION TO AMEND MOTION

Senator Desmond moved that the motion by Senator Powers to amend Rule 12, Section 8, Subsection F, of the Standing Rules of Senate, be amended to read:

Strike the words "Intoxicating liquors", and insert in lieu thereof "alcoholic beverages".

Motion carried.

#### MOTION TO AMEND MOTION

Senator Breed moved that the motion by Senator Powers to amend Rule No. 12, Section 8, Subsection F, be amended to read:

After the words "alcoholic beverages", insert "excepting those bills relating to Revenue and Taxation".

Motion read:

Senator Tenney moved previous question.

The question being on the motion of Senator Breed to amend the motion by Senator Powers to amend Rule 12, Section 8, Subsection F, of the Standing Rules.

Motion lost.

The President put the question.

The question being on the motion of Senator Powers to amend Rule 12 of the Standing Rules, as amended by motion of Senator Desmond.



12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 13 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects, *except bills relating to horse racing or intoxicating liquors*.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 11 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Finance Committee before being placed on Third Reading.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and Financial Code, and all bills amending the Corporate Securities Act, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

a. State policy

b. New state functions

c. State property

d. Reorganization

e. State employees

f. *Horse racing or ~~intoxicating liquors~~ alcoholic beverages*

g. *All judges salaries*

9. Institutions, 9 members. All bills relating to the State Department of Mental Hygiene, or to institutions under its jurisdiction including:

a. State Hospitals

b. Home for the Feeble-minded

c. Inebriate Colonies

d. Institutions for Delinquents

e. Home for the Blind

f. Industrial Workshops

g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 9 members. All bills amending the following codes:
  - a. Civil Code
  - b. Code of Civil Procedure
  - c. Corporations Code, except for Corporate Securities Act
  - d. Probate Code
  - e. Penal Code, and
  - f. All statutes of a penal nature not related closely to a subject embraced in some other code.
11. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.
12. Local Government, 9 members. All bills relating to:
  - a. County government
  - b. Municipal corporations
  - c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.
13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.
14. Natural Resources, 11 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.
15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.
16. Public Utilities, 7 members. All bills amending the Public Utilities Code and other uncodified legislation relating to the same subject.
17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.
18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.
19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.
20. Transportation, 13 members. All bills amending the
  - a. Vehicle Code
  - b. Streets and Highways Code
  - c. Harbors and Navigation Code, and
  - d. Uncodified legislation relating to the same subjects or to aviation.
21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any general session shall be the standing committees of succeeding budget, special or extraordinary sessions unless otherwise ordered by the Senate.

The motion was read, as amended.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 575, 1363, and 303 carry an appropriation.

The President ordered Senate Bills Nos. 575, 1363, and 303 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Joint Resolution No. 22**—Relative to flood control works on Butte and Little Chico Creeks.

Resolution read.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

##### Amendment No. 1

On page 1 of the printed measure, between lines 29 and 30, insert "and WHEREAS, The State Water Resources Board has included in its recommendation to Congress for federal flood control funds for the 1954 Fiscal Year, sufficient funds to complete the flood control works on the Butte and Little Chico Creeks, thus recognizing its importance to the welfare and safety of the people of this State;"

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 751**—An act to add Section 22654 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

##### Amendment No. 1

On page 1, line 4, of the printed bill, after "compromise", insert a comma.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 563**—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "six thousand nine hundred dollars (\$6,900) a year", and insert "eight thousand five hundred dollars (\$8,500) a year".

**Amendment No. 2**

On page 1, lines 16 and 17, of said bill, strike out "three hundred dollars (\$300)", and insert "two hundred and fifty dollars (\$250)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1718**—An act to amend Section 28133 of the Government Code, relating to the salaries of county officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 7, and insert "five thousand five hundred dollars (\$5,500) a year."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1941**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 26**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 519**—An act authorizing the dissolution of the Islais Creek Reclamation District.

Bill read second time.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 12, inclusive, and in line 13, strike out "of the district to redeem the same".

**Amendment No. 2**

On page 1, lines 13 and 14, of said bill, strike out "otherwise".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 571**—An act to amend Section 28114 of the Government Code, relating to the compensation of the county officials.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1150**—An act to amend Section 31553.5 of the Government Code, relating to county retirement systems.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1165**—An act to amend Section 430 of the Education Code, relating to the compensation of the county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1269**—An act to repeal Chapter 861 of the Statutes of 1927, relating to the Ventura County Harbor District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1270**—An act to repeal Chapter 1109 of the Statutes of 1939, relating to transportation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1485**—An act to repeal Chapter 6 of Division 2 of the Public Resources Code, relating to placer mining districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1486**—An act to repeal Chapter 1, of Part 1, of Division 8 of the Harbors and Navigation Code, relating to municipal port districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1164**—An act to amend Sections 34600, 34605, 34606, and 34608 of the Government Code, relating to the government of cities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 12**—An act to amend Section 28118 of the Government Code, relating to the compensation of county officials.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 14**—An act to amend Section 418 of the Education Code, relating to the compensation of county superintendent of schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 140**—An act to add Section 3070.5 to the Business and Professions Code, relating to the practice of optometry.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "other than those necessary to render his professional services".

##### Amendment No. 2

On page 1, between lines 6 and 7, of said bill, insert "'Commodities' as used in this section does not include the ophthalmic materials used or furnished by an optometrist in the performance of his professional services."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 527**—An act to amend Sections 3053 and 3054 of, and to add Section 3056 to, the Business and Professions Code, relating to the practice of optometry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 18, of the printed bill, strike out "subdivision (c)", and insert "subdivisions (c) and (d)".

**Amendment No. 2**

On page 2, between lines 7 and 8, insert "(d) Notwithstanding the provisions of subdivision (b) of this section, any applicant who has taken and failed to pass three previous examinations before the board shall be re-examined in all subjects of the examination."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1894**—An act to add Section 2141.1 to the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "Examiners", insert ", or the State Board of Optometry".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 575**—An act to add Sections 6527, 6527.1, 6527.5, 6528, 6534.1, 6534.2, 6534.3, 6534.4, 6534.5, 6534.6, 6550.5, 6550.6, 6627.5, and 6627.6 to, and to amend Section 6630 of, the Business and Professions Code, relating to barbers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 576**—An act to amend Section 6509 of, and to add Section 6595 to, the Business and Professions Code, relating to the regulation of barbers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1363**—An act to add Section 156 to the Business and Professions Code, relating to contracts of the Department of Professional and Vocational Standards.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 199**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 21, of the printed bill, strike out "two years", and insert "one year".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 94**—An act to add Section 16330 to the Business and Professions Code, relating to the licensing of itinerant merchants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after the word "buy", insert "perishable".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 303**—An act to amend Section 13105 of the Health and Safety Code, relating to duties of the State Fire Marshal.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 260**—An act making an appropriation for the support of major construction, improvements, and equipment at the Porterville State Home, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, lines 2 and 3, of the printed bill, strike out "five hundred sixteen thousand two hundred dollars (\$3,516,200)", and insert "one hundred sixty seven thousand six hundred dollars (\$3,167,600)".

**Amendment No. 2**

On page 1, line 4, of said bill, strike out "General", and insert "Capital Outlay and Savings".

**Amendment No. 3**

On page 1 of said bill, strike out all of lines 11 to 17, inclusive.

**Amendment No. 4**

On page 1, line 19, of said bill, strike out "\$3,516,200", and insert "\$3,167,600".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1176**—An act relating to the Capital Outlay and Savings Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 2, of the printed bill, strike out "created", and insert "continued".

**Amendment No. 2**

On page 1 of said bill, strike out all of lines 3 to 7, inclusive, and insert "SEC. 2. All appropriations payable from the Capital Outlay and Savings Fund which were available immediately prior to the effective date of this act shall remain available for the purpose for which appropriated until June 30, 1956, and all appropriations hereafter made from such fund shall remain available for three years from the date they first become available. Upon the expiration of the period of availability, the unencumbered balance of any such appropriation shall revert to the unappropriated balance of the Capital Outlay and Savings Fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 231**—An act to amend Section 2046 of the Penal Code, relating to the state correctional system.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 237**—An act to add Chapter 9, comprising Sections 6200 to 6208, inclusive, to Title 7 of Part 3 of the Penal Code, relating to the establishment of the California Correctional Facility under the jurisdiction of the Department of Corrections, prescribing its purpose, and relating to the commitment and transfer of persons thereto and therefrom.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 240**—An act to amend Section 2700 of the Penal Code, relating to the compensation of prisoners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 241**—An act to amend Section 2690 of the Penal Code, relating to the temporary removal of prisoners.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 560**—An act to amend Section 66k of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 185**—An act to amend Section 13926 of the Government Code, relating to awards for state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "which", insert "hereafter".

**Amendment No. 2**

On page 1, line 6, of said bill, strike out "or improving operations".



**Amendment No. 3**

On page 1, line 18, of said bill, strike out "two", and insert "one"; and strike out "2", and insert "1".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 238**—An act to amend Section 5093 of the Penal Code, relating to the maximum gross annual production of enterprises subject to the jurisdiction of the Correctional Industries Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "cloth", insert "made from cotton produced and purchased in California".

**Amendment No. 2**

On page 1, line 7, of said bill, strike out "governmental use"; and after "for", insert "the use of the State or any political subdivision thereof".

**Amendment No. 3**

On page 1, line 12, of said bill, insert "It is further provided that the gross annual production of any enterprise established by the Commission for the production of cotton cloth shall not exceed one million five hundred thousand dollars (\$1,500,000) value."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 307**—An act to amend Sections 1711 and 1712 of, and to add Sections 1711.5 and 1720 to, and to repeal Section 1720 of, the Welfare and Institutions Code, relating to the Youth Authority.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "The second and third", and insert "Two".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1778**—An act to add Section 3302.3 to the Welfare and Institutions Code, relating to insuring materials and products of the California Industries for the Blind against damage or destruction by fire or water.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "and".

**Amendment No. 2**

On page 1, line 4, of said bill, after "products", insert ", and equipment necessary for the production thereof."

**Amendment No. 3**

On page 1, line 6, of said bill, strike out "damage or destruction by fire or water.", and insert "any or all risks of loss.

The cost of such insurance shall be paid from the Workshops for the Blind Manufacturing Fund."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Concurrent Resolution No. 31**—Relating to fire protection districts.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 30, of the printed resolution, strike out "; and", and insert a period.

**Amendment No. 2**

On page 2 of said resolution, strike out all of lines 1 to 6, inclusive.

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 202**—An act to amend Section 406 of the Education Code, relating to the salaries of county superintendents of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "twelve thousand dollars (\$12,000), and he".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 866**—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read second time, and ordered to third reading.

**MOTION TO RETAIN PLACE ON FILE**

Senator Kraft moved that Senate Bill No. 1457 be passed on file and retain its place on file.

Motion carried.

**MOTION TO RETAIN PLACE ON FILE**

Senator Ed. C. Johnson moved, in the absence of Senator Coombs, that Senate Bill No. 194 be passed on file and retain its place on file.

Motion carried.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 503**—An act to amend Section 1342 of the Fish and Game Code, relating to mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Way, and Williams—26.

NOES—Senator Tenney—1.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.35 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 385**—An act to amend Section 1080 of the Probate Code, relating to the distribution of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 386**—An act to add Sections 1132, 1133, 1134, 1135, and 1136 to the Probate Code, relating to trusts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator O'Gara Presiding**

At 2.40 p.m., Senator Gerald J. O'Gara of the Fourteenth District, presiding.

**Senate Bill No. 387**—An act to repeal Article 1 and Article 2 of Chapter 16 of Division 3 of the Probate Code and to add a new Article 1 to Chapter 16 of Division 3 thereof, relating to preliminary distribution of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2.44 p.m., on motion of Senator Cunningham, further proceedings under the call of the Senate were dispensed with.

**RECESS**

At 2.45 p.m., on motion of Senator Cunningham, the Senate recessed to allow Senator Cunningham to introduce distinguished guests.

Senator Cunningham introduced Mr. E. L. (Blink) Morgan, President of the National Orange Show, who in turn introduced Miss Donelia Dooley, Queen of the Orange Show. Miss Dooley addressed the Senate briefly, proffering an invitation for all present to attend the Orange Show.

Miss Dooley was escorted to the stand by Assemblymen Stanford C. Shaw and Stewart Hinckley of San Bernardino County.

**REASSEMBLED**

At 2.47 p.m., the Senate reconvened.

Hon. Gerald J. O'Gara, Senator from the Fourteenth Senatorial District, presiding.

Secretary J. A. Beek at the desk.

**Call of the Senate**

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 2.47 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 388**—An act to amend Sections 360, 361, and 362 of the Probate Code, relating to the probating of foreign wills.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 389**—An act to repeal Section 754.5 of, and to add Section 754.5 of the Probate Code, relating to the sale of estate property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**President of the Senate Presiding**

At 2.55 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**Senate Bill No. 390**—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 391**—An act to amend Section 647 of the Code of Civil Procedure, relating to matters deemed excepted to.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 682**—An act to amend Section 3440.1 of the Civil Code, relating to the transfer, sale or assignment of stock in trade, in bulk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1026**—An act to amend Section 1248 of the Code of Civil Procedure, relating to condemnation suits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1646**—An act to amend Section 58950 of the Government Code, relating to dissolution of districts.

**Motion to Refer Bill to Inactive File**

Senator Hatfield moved that Senate Bill No. 1646 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1632**—An act to amend Sections 2 and 3 of Chapter 1071 of the Statutes of 1947, the California State Communications Act, and Sections 15275 and 15279 of the Government Code, relating to the California State Communications Advisory Board.

**Motion to Refer Bill to Inactive File**

Senator Hatfield moved that Senate Bill No. 1632 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1446**—An act to amend Section 17.1 of the Welfare and Institutions Code, relating to the residence of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 305**—An act to repeal Section 1580 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of transportation of certain needy children.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Dilworth, Grunsky, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Murdy, Parkman, Powers, Regan, Thompson, and Weybret—17.  
**NOES**—Senators Breed, Busch, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hatfield, Hulse, Kraft, O'Gara, Sutton, Tenney, Ward, and Way—15.

**Motion to Reconsider**

Senator Thompson moved to reconsider the vote whereby Senate Bill No. 305 was refused passage.

**Postponement of Reconsideration**

On motion of Senator Thompson, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 305 was refused passage, was continued until the next legislative day.

**Senate Bill No. 1538**—An act to amend Section 7.2 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935), relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1134**—An act to add Section 884.5 to the Welfare and Institutions Code, relating to medical, surgical, and dental care of wards of the juvenile court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 209**—An act to amend Section 225 of the Labor Code, relating to violation of certain laws relating to payment of wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, and Way—27.

NOES—Senators Sutton and Ward—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 147**—An act to add Sections 20607.6, 20952.6, and 21252.6 to the Government Code, relating to retirement of firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1754**—An act to amend Section 340 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1449**—An act to amend Section 643 of the Welfare and Institutions Code, relating to annual report of the probation officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1062**—An act to add Section 259b to the Code of Civil Procedure and to amend Section 70146 of the Government Code, relating to court commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1166**—An act to repeal Sections 125, 126, 127, and 128 of the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind, and abolishing the Social Welfare Disbursement Fund.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 311**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to old age security with respect to the liability of relatives.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, and Way—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Erhart:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 12, 1953

**MR. PRESIDENT:** In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to authorize a suit or suits against the State of California and the Regents of the University of California, to quiet title against them to certain real property situated in the County of San Luis Obispo, State of California.

Respectfully submitted,

SENATOR A. A. ERHART

#### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 12, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman



The roll was called, and permission granted by the following vote :

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—31.

**NOES**—None.

#### **INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time :

**Senate Bill No. 1944:** By Senator Erhart—An act to authorize a suit or suits against the State of California and the Regents of the University of California, to quiet title against them to certain real property situated in the County of San Luis Obispo, State of California.

Referred to Committee on Governmental Efficiency.

#### **MOTION TO SUSPEND RULE NO. 29**

Senator Desmond moved that Rule No. 29 of the Standing Rules of the Senate be suspended for the purpose of considering Senate Bill No. 658.

The roll was called, and the motion carried by the following vote :

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—30.

**NOES**—None.

#### **MOTION TO PLACE SENATE BILL NO. 658 ON THIRD READING FILE**

Senator Desmond moved that Senate Bill No. 658 be placed on the Third Reading File.

Motion carried.

#### **MOTION TO RESCIND**

Senator Desmond moved that the action whereby Senate Bill No. 658 was passed on March 4, 1953, be rescinded.

The roll was called, and the motion carried by the following vote :

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—29.

**NOES**—None.

#### **Request for Unanimous Consent**

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 658, at this time, for purpose of amendment.

#### **CONSIDERATION OF SENATE BILL NO. 658**

**Senate Bill No. 658**—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Bill read third time.

#### **Motion to Amend**

Senator Desmond moved the adoption of the following amendments :

##### **Amendment No. 1**

On page 10, line 14, of the printed bill, as amended in Senate March 3, 1953, strike out "4812", and insert "4182".

##### **Amendment No. 2**

On page 11, line 1, of said bill, after "to", insert "Division 6 of".

**Amendment No. 3**

On page 25 of said bill, strike out lines 36 to 44, inclusive.

**Amendment No. 4**

On page 33 of said bill, strike out lines 13 and 14, and insert "Section 4384."

**Amendment No. 5**

On page 33 of said bill, strike out lines 32 to 35, inclusive, and insert "or fluid cream was received."

**Amendment No. 6**

On page 34 of said bill, strike out lines 5 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted.

**MOTION TO RE-REFER SENATE BILL NO. 658**

Senator Desmond moved that Senate Bill No. 658 be re-referred to Committee on Finance.

Motion carried.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated February 24, 1953, appointing:

GENERAL LEROY P. HUNT, Ret., to Building and Loan Commissioner, vice self, for the term at the pleasure of the Governor;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated March 2, 1953, appointing:

J. J. PRENDERGAST, to the State Board of Forestry (representing beneficial use of water), vice self, for the term prescribed by law, ending January 15, 1957; Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred the Message from the Governor dated March 3, 1953, appointing:

DR. WILLIAM J. KERR, to the Board of Trustees, Mendocino State Hospital, vice W. D. Ford, resigned, for the term prescribed by law, ending four years from the date of the commission;

Has had the same under consideration, and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR****Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of

General LeRoy P. Hunt as Building and Loan Commissioner;

J. J. Prendergast to the State Board of Forestry;

Dr. William J. Kerr to the Board of Trustees, Mendocino State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of General LeRoy P. Hunt, J. J. Prendergast, and Dr. William J. Kerr?"

The roll was called, with the following result:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—30.

**NOES**—None.

#### **Appointments Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointments:

General LeRoy P. Hunt as Building and Loan Commissioner,

J. J. Prendergast to the State Board of Forestry,

Dr. William J. Kerr to the Board of Trustees, Mendocino State Hospital.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1403**

Senator Kraft moved that Senate Bill No. 1403 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1403**—An act to amend Section 6537 of the Business and Professions Code, relating to admission to barber colleges.

Bill read second time.

##### **Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

##### **Amendment No. 1**

On page 1 of the printed bill, strike out lines 27 and 28.

##### **Amendment No. 2**

On page 2 of said bill, strike out lines 1 to 5, inclusive, and insert

"(3) Any person who has practiced barbering in this State or another state or country and who meets all the requirements of this chapter to take the examination for a registered barber license may take a postgraduate or brush-up course."

##### **Amendment No. 3**

On page 2 of said bill, after line 5, add

"(c) In the practice department of the barber school where charges are made for services to the public, the maximum number of hours post-graduates may complete shall not exceed one hundred and fifty (150)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE CONSTITUTIONAL AMENDMENT NO. 11**

Senator Collier moved that Senate Concurrent Amendment No. 11 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 11**—A resolution to propose to the people of the State of California an amendment to the Constitu-

tion of the State, by adding to Article XXVI thereof a new section to be numbered 16.7, relating to the issuance of bonds for highway purposes.

Resolution read.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 10 and 11, of the printed measure, strike out "and Freeway", and insert "Bond".

**Amendment No. 2**

On page 1, line 13, of said bill, strike out "and Freeway", and insert "Bond".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 775**

Senator Collier moved that Senate Bill No. 775 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 775**—An act to provide for a system of strategic state highways and freeways and for the financing thereof, including the issuance of bonds and the raising of revenue therefor, making an appropriation, amending Sections 7351, 8651, and 9651, and repealing Section 6357, of the Revenue and Taxation Code, amending Sections 186, 188 and 188.4 of the Streets and Highways Code, and amending Sections 370 and 372 of the Vehicle Code.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "act", insert ", the Strategic State Highway Bond Act of 1953, to authorize the issuance of state bonds".

**Amendment No. 2**

Strike out lines 2 to 8, inclusive, of the title of said bill, and insert "to provide for the repayment thereof, and making an appropriation."

**Amendment No. 3**

On page 1, line 2, of said bill, strike out "and Freeway", and insert "Bond".

**Amendment No. 4**

On page 1, line 4, of said bill, strike out "and Freeway".

**Amendment No. 5**

On page 1, line 16, of said bill, strike out "and freeways provided for herein", and insert "provided for in the Strategic State Highway Act of 1953".

**Amendment No. 6**

On page 3, line 11, of said bill, strike out "and Freeway".

**Amendment No. 7**

On page 3, line 47, of said bill, strike out "and Freeways".

**Amendment No. 8**

On page 3, line 48, of said bill, strike out "19", and insert "17".



**Amendment No. 8.5**

On page 4, line 8, of said bill, strike out "and Freeways".

**Amendment No. 9**

On page 4, lines 18 and 19, of said bill, strike out "the facsimile countersignature of the State Treasurer", and insert "shall be endorsed by the State Treasurer either by original signature or by a signature stamp".

**Amendment No. 10**

On page 4, lines 20 to 22, of said bill, inclusive, strike out "Such bonds shall be so executed by the officers who shall be in office on the date of the bonds."

**Amendment No. 11**

On page 4, lines 23 and 24, of said bill, strike out "who shall be in office on the date of the bond to which the coupons appertain.", and insert ". Each such signature shall be that of the person who shall be in office on the date of the affixing thereof, in the case of original or stamped signatures, or on the date of authorizing thereof, in the case of facsimile signatures."

**Amendment No. 12**

On page 4, line 30, of said bill, strike out "as of the date of the bonds", and insert "before their issuance and delivery".

**Amendment No. 13**

On page 5, line 15, of said bill, strike out "by his facsimile signature", and insert "either by original signature or by a signature stamp".

**Amendment No. 14**

On page 5, line 26, of said bill, strike out "desirable", and insert "advisable, but the expense of such additional notice shall not exceed the sum of one thousand dollars (\$1,000) for each sale so advertised".

**Amendment No. 15**

On page 5, line 30, of said bill, strike out "and Freeways".

**Amendment No. 16**

On page 5, line 31, of said bill, strike out "for the purposes of this act", and insert "as provided in Section 18".

**Amendment No. 17**

On page 5, line 34, of said bill, strike out "and Freeway".

**Amendment No. 18**

On page 5, line 43, of said bill, strike out "and Freeway".

**Amendment No. 19**

On page 6, lines 4 and 5, of said bill, strike out "and Freeways".

**Amendment No. 20**

On page 6, line 12, of said bill, strike out "and Freeways".

**Amendment No. 21**

On page 6, line 14, of said bill, strike out "and Freeway".

**Amendment No. 22**

On page 6, line 16, of said bill, strike out "and Freeways".

**Amendment No. 23**

On page 6, line 18, of said bill, strike out "and Freeway".

**Amendment No. 24**

On page 6, line 25, of said bill, strike out "and Freeways".

**Amendment No. 25**

On page 6 of said bill, strike out lines 36 to 38, inclusive, and insert "Treasurer."

**Amendment No. 26**

On page 7, line 3, of said bill, strike out "and Freeway".

**Amendment No. 27**

On page 7, line 4, of said bill, strike out "determine", and insert "terminate".

**Amendment No. 28**

On page 7 of said bill, strike out lines 7 to 47, inclusive; strike out page 8; and on page 9 strike out lines 1 to 13, inclusive.

**Amendment No. 29**

On page 9, line 14, of said bill, strike out "19", and insert "17".

**Amendment No. 30**

On page 9, line 17, of said bill, strike out "and Freeways".

**Amendment No. 31**

On page 9, line 18, of said bill, after "accounts", insert "of the additional revenues paid into the State Highway Fund pursuant to the increased rates of taxes and fees provided for in the Strategic State Highway Act of 1953, or of other money in the State Highway Fund if such additional revenues are insufficient."

**Amendment No. 32**

On page 9, line 19, of said bill, strike out "and Freeway".

**Amendment No. 33**

On page 9, lines 22 and 23, of said bill, strike out "and Freeways".

**Amendment No. 34**

On page 9, line 26, of said bill, strike out "21", and insert "18".

**Amendment No. 35**

On page 9, lines 26 and 27, of said bill, strike out "and Freeways".

**Amendment No. 36**

On page 9, line 28, of said bill, strike out "19", and insert "17".

**Amendment No. 37**

On page 9, line 33, of said bill, strike out "and freeways herein designated", and insert "pursuant to the Strategic State Highway Act of 1953".

**Amendment No. 38**

Strike out pages 10 to 14, inclusive, of said bill, including the map following page 10; and on page 15, strike out lines 1 to 44, inclusive.

**Amendment No. 39**

On page 15, line 45, of said bill, strike out "32", and insert "19".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 776**

Senator Collier moved that Senate Bill No. 776 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 776**—An act to amend Sections 7351, 8651, and 9651 of the Revenue and Taxation Code, to amend Sections 370, 372, 381, and 382 of the Vehicle Code, and to amend Sections 188 and 188.4 of the Streets and Highways Code, to provide for a system of public streets and highways in this State and for the financial support thereof, including the levying of taxes therefor, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 to 4, inclusive, of the title of the printed bill, strike out "to amend Sections 7351, 8651, and 9651 of the Revenue and Taxation Code, to amend Sections 370, 372, 381, and 382 of the Vehicle Code, and to amend Sections 188 and 188.4 of the Streets and Highways Code", and insert "the Strategic State Highway Act of 1953".

**Amendment No. 2**

In lines 6 and 7 of the title of said bill, strike out "to take effect immediately", and insert "and in connection therewith to amend Sections 7351 and 8651 of, to add Sections 7354, 7653, and 7654 to, and to repeal Section 9654 of, the Revenue and Taxation Code, and to amend Sections 276, 277, 370, 372, and 381 of the Vehicle Code, and to amend Sections 186 and 188.4 of the Streets and Highways Code, and to prescribe the dates upon which the provisions hereof take effect".

**Amendment No. 3**

On page 1 of said bill, between lines 8 and 9, insert

"SEC. 2. Section 7354 is added to the Revenue and Taxation Code, to read:

7354. For the privilege of storing or using motor vehicle fuel as to the distribution of which a license tax not exceeding four and one-half cents (\$0.04½) per gallon has been imposed under Section 7351, every person, except a duly licensed distributor, owning five hundred (500) gallons or more thereof on July 1, 1953, shall pay a tax of one and one-half cents (\$0.01½) for each gallon of such fuel.

SEC. 3. Section 7653 is added to the Revenue and Taxation Code, to read:

7653. On or before July 15, 1953, each person subject to the tax imposed under Section 7354 shall prepare and file with the board on forms prescribed by the board a return showing the total number of gallons of motor vehicle fuel owned by him on July 1, 1953, as to the distribution of which a license tax not exceeding four and one-half cents (\$0.04½) per gallon has been imposed under Section 7351 and such other information as the board deems necessary for the proper administration of this part. The return must be accompanied by a remittance payable to the Controller in the amount of tax due.

SEC. 4. Section 7654 is added to the Revenue and Taxation Code, to read:

7654. All provisions, penalties and requirements in this part relating to license taxes payable by distributors, and provisions relative to payment of refunds, not inconsistent herewith, are applicable to the same force and extent with respect to taxes imposed under Section 7354."

**Amendment No. 4**

On page 1, line 9, of said bill, strike out "2", and insert "5".

**Amendment No. 5**

On page 1, line 14, of said bill, after "be", insert "seven and one-half cents (\$0.07½)".

**Amendment No. 6**

On page 1 of said bill, strike out lines 16 to 20, inclusive, and insert

"SEC. 6. Section 9654 of the Revenue and Taxation Code is hereby repealed."

**Amendment No. 7**

On page 1, line 21, of said bill, strike out "4", and insert "7".

**Amendment No. 8**

On page 1, line 23, of said bill, strike out "----- (\$-----)", and insert "eight dollars (\$8)".

**Amendment No. 9**

On page 2, line 4, of said bill, strike out "5", and insert "8".

**Amendment No. 10**

On page 2 of said bill, between lines 16 and 17, insert

"(1) Less than 6,000 lbs.	-----	\$48.00
(2) 6,000 lbs. or more but less than 10,000 lbs.	-----	96.00
(3) 10,000 lbs. or more	-----	128.00".

**Amendment No. 11**

On page 2 of said bill, between lines 26 and 27, insert

"(1) 3,000 lbs. to and including 4,000 lbs.	-----	\$14.00
(2) 4,001 lbs. to and including 5,000 lbs.	-----	27.00
(3) 5,001 lbs. to and including 6,000 lbs.	-----	40.00
(4) 6,001 lbs. to and including 7,000 lbs.	-----	54.00
(5) 7,001 lbs. to and including 8,000 lbs.	-----	67.00
(6) 8,001 lbs. to and including 9,000 lbs.	-----	80.00
(7) 9,001 lbs. to and including 10,000 lbs.	-----	94.00
(8) 10,001 lbs. to and including 11,000 lbs.	-----	107.00
(9) 11,001 lbs. to and including 12,000 lbs.	-----	120.00
(10) 12,001 lbs. to and including 13,000 lbs.	-----	134.00
(11) 13,001 lbs. to and including 14,000 lbs.	-----	147.00
(12) 14,001 lbs. and over	-----	160.00".

**Amendment No. 12**

On page 2 of said bill, between lines 46 and 47, insert

"(1)	2,000 lbs. to and including	3,000 lbs.	-----	\$11.00
(2)	3,001 lbs. to and including	4,000 lbs.	-----	20.00
(3)	4,001 lbs. to and including	5,000 lbs.	-----	40.00
(4)	5,001 lbs. to and including	6,000 lbs.	-----	60.00
(5)	6,001 lbs. to and including	7,000 lbs.	-----	80.00
(6)	7,001 lbs. to and including	8,000 lbs.	-----	100.00
(7)	8,001 lbs. to and including	9,000 lbs.	-----	120.00
(8)	9,001 lbs. to and including	10,000 lbs.	-----	140.00
(9)	10,001 lbs. to and including	11,000 lbs.	-----	160.00
(10)	11,001 lbs. to and including	12,000 lbs.	-----	180.00
(11)	12,001 lbs. to and including	13,000 lbs.	-----	200.00
(12)	13,001 lbs. to and including	14,000 lbs.	-----	220.00
(13)	14,001 lbs. to and including	15,000 lbs.	-----	240.00
(14)	15,001 lbs. and over		-----	267.00".

**Amendment No. 13**

On page 3 of said bill, strike out line 1.

PRINTER'S NOTE--There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 14**

On page 3, line 10, of said bill, insert

"SEC. 9. Section 276 of the Vehicle Code is amended to read:

276. Expiration of Operator's License. Every operator's license hereafter issued shall expire [four] *three* years from date of issuance and the department is authorized to cancel and require the renewal of any operators' licenses which have been outstanding [four] *three* years or more. In the event an operator's license expires during the month of January the department may extend such license for a period of 30 days.

SEC. 10. Section 277 of the Vehicle Code is amended to read:

277. Expiration of Chauffeur's License. Every chauffeur's license hereafter issued shall expire [four] *three* years after the date of issuance. [Every chauffeur's license issued on or after September 15, 1943, shall expire four years from the date of issuance shown thereon. Every chauffeur's license heretofore issued shall expire at the date fixed in the license as issued except that chauffeur's licenses issued from September 15, 1943, to September 15, 1945, both dates inclusive, shall expire four years from the date of issuance shown thereon.]".

**Amendment No. 15**

On page 3, line 11, of said bill, strike out "6", and insert "11".

**Amendment No. 16**

On page 3, lines 14 and 15, of said bill, strike out "----- (\$-----)", and insert "two dollars and fifty cents (\$2.50)".

**Amendment No. 17**

On page 3, line 17, of said bill, strike out "----- (\$-----)", and insert "two dollars and fifty cents (\$2.50)".

**Amendment No. 18**

On page 3 of said bill, strike out lines 28 to 51, inclusive, and insert

"SEC. 12. All money in the State Highway Fund derived from the increased rates of taxes and fees provided for in this act is hereby appropriated and made available for use and expenditure by the Department of Public Works for the acquisition of rights of way for, and the construction of existing public ways as a part of, the system of strategic state highways designated in this act; provided, however, that if bonds are issued pursuant to the Strategic State Highway Bond Act of 1953 to finance the construction of such system, such money, or so much thereof as may be necessary, shall be available for transfer to the Strategic State Highways Fund, as provided in said act, for payment of the principal and interest on such bonds.

The allocation and expenditure of such money, or the allocation and expenditure of moneys in the Strategic State Highways Fund, shall be subject to Section 188 of the Streets and Highways Code, but shall not be subject to Section 188.4 thereof.

SEC. 13. The system of strategic state highway routes included and provided for in this act shall consist of the routes throughout this State as depicted by the heavy black lines as shown on the following map of the State, with an enlargement of the San Francisco and Los Angeles metropolitan areas, to wit:



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

STRATEGIC  
STATE HIGHWAY  
SYSTEM





SEC. 14. The California Highway Commission shall from time to time, designate the particular route or routes or portions thereof within the system, and allocate moneys available for expenditure by the Department of Public Works for the acquisition of rights of way for, and the construction of, or reconstruction of existing public ways as a part of, the route or routes or portions thereof so designated by the commission, the priority of the designation and allocation aforesaid to be made by the commission as the most urgent public needs may appear in its judgment.

It is estimated that the funds made available by this act or by the Strategic State Highway Bond Act of 1953 will be sufficient as nearly as practicable to acquire, construct and complete the system of strategic state highway routes as provided herein, but it shall not be necessary that any particular route be constructed at any particular time or in any particular order, and the routes may be constructed in portions or segments, from time to time, as in the judgment of the Department of Public Works such acquisition or construction is feasible and desirable to carry out the designations made by the California Highway Commission. The validity of any bonds issued under the Strategic State Highway Bond Act of 1953 or authorized to be issued thereunder shall not be affected by the time, manner or amount of construction of any particular route or segment or portion thereof, irrespective of any designation thereof by the California Highway Commission, and bonds may be issued under said act to obtain funds for such acquisition or construction to the extent that the proceeds thereof may be available for such purposes irrespective of whether or not the entire project can or will be completed within the funds made available by this act or by the Strategic State Highway Bond Act of 1953, it being the intention of this act, however, to provide for such acquisition or construction to the maximum extent to which the proceeds of the sale of the bonds or the additional revenues made available by this act will suffice for that purpose.

SEC. 15. The Department of Public Works and the California Highway Commission shall possess and exercise like powers, duties, and jurisdiction, not in conflict with this act, in respect to the alignment, location, relocation, acquisition, use, relinquishment, abandonment, disposition and control of rights of way for, and the construction and reconstruction of existing public ways as a part of, the system of strategic state highways as is now or hereafter may be vested by law in the department and commission in respect to other state highways and freeways and the routes thereof; provided, however, that every strategic state highway or part thereof within the system shall follow generally and substantially, as nearly as may appear feasible and practical in the judgment of the department and commission, the route thereof as depicted on the map set forth herein, and shall be designed in all cases to serve the traffic needs of the same region or area as such route.

SEC. 16. Nothing in this act shall limit or affect the power of the commission and department to realign, relocate, and acquire new rights of way for, and construct and reconstruct along such new alignment, relocation and new right of way, any strategic state highway or part thereof within the system, as public needs may appear in the judgment of the department and commission, notwithstanding any prior alignment, location, right of way, and construction along the same, of any such strategic state highway or part thereof within the system formerly open to use or in use by public traffic and irrespective of whether such new alignment, relocation, new right of way, and construction and reconstruction along the same, as aforesaid, is prior or subsequent to the payment and discharge of the principal and interest of all bonds issued under the Strategic State Highway Bond Act of 1953 and of whether the same is financed in whole or in part with moneys from out of the Strategic State Highways Fund, the additional revenues made available by this act, or other moneys available by law for such purpose.

SEC. 17. This act shall not limit, modify or abridge any of the powers, duties or jurisdiction as is now or hereafter may be provided by law in the Department of Public Works or the California Highway Commission in respect to the alignment, location, relocation, acquisition, use, relinquishment, abandonment, disposition or control of rights of way for, or the construction, reconstruction or maintenance of, other state highways and freeways not included within the system of strategic state highways, irrespective of the route, location or proximity of any such other state freeway or highway with respect to any strategic state highway or the route thereof whenever such other state freeway or highway was prior in time, or the public needs appear in the judgment of the department and commission.

SEC. 18. The commission shall allocate and the department shall expend or cause to be expended not less than 50 percent of other moneys made available by law for state highways and freeways, after deducting expenditures for maintenance and administration, including federal aid allocations for the improvement of state highways other than allocations for federal secondary highways, upon the system of strategic state highways and not less than 30 percent of such moneys upon state highways not included in the strategic system of state highways. The allocation and expenditure of such other moneys pursuant to this section shall be subject to Sections 188 and 188.4 of the Streets and Highways Code.

SEC. 19. No moneys in the Strategic State Highways Fund, or moneys in the State Highway Fund derived from the increased rates of taxes and fees provided for



in this act, shall ever be expended for maintenance of any state highway, including any strategic state highway under this act; nor shall any such money ever be expended for general administration purposes of the department or commission.

Sec. 20. Section 186 of the Streets and Highways Code is amended to read:

186. For general administration and for maintenance, the department and the commission shall be limited in expenditures, out of the money available each year in the State Highway Fund, to an amount not exceeding the net revenue derived from one cent (\$.01) per gallon tax on motor vehicle fuel and on the use of fuel under Part 3 of Division 2 of the Revenue and Taxation Code. Of that amount the department shall expend such proportion as the commission determines is necessary for each of the following:

- (a) General administration purposes.
- (b) Maintenance of all state highways, including all traversable highways between the termini of and approximately on authorized state highway routes.
- (c) Maintenance of highways in state parks."

#### Amendment No. 19

On page 4, line 1, of said bill, strike out "9", and insert "21".

#### Amendment No. 20

On page 4, lines 8 and 9, of said bill, strike out "July 1, 1952, to June 30, 1957, and July 1, 1957, to June 30, 1962", and insert "July 1, 1953, to June 30, 1958, and July 1, 1958, to June 30, 1963".

#### Amendment No. 21

On page 4 of said bill, strike out lines 18 and 19, and insert "July 1, 1953-June 30, 1958-----75      July 1, 1958-June 30, 1963-----75".

#### Amendment No. 22

On page 4 of said bill, between lines 25 and 26, insert

"Alameda -----	20.721	Nevada -----	.839
Alpine -----	.410	Placer -----	1.595
Amador -----	.741	Plumas -----	.473
Butte -----	1.108	Sacramento -----	2.988
Calaveras -----	.632	San Benito -----	.474
Colusa -----	.577	San Francisco -----	18.688
Contra Costa -----	4.100	San Joaquin -----	2.850
Del Norte -----	.521	San Mateo -----	3.147
El Dorado -----	.649	Santa Clara -----	3.055
Fresno -----	2.646	Santa Cruz -----	1.443
Glenn -----	.518	Shasta -----	1.769
Humboldt -----	2.804	Sierra -----	.227
Kings -----	.529	Siskiyou -----	1.582
Lake -----	.631	Solano -----	1.732
Lassen -----	.391	Sonoma -----	2.735
Madera -----	.950	Stanislaus -----	2.162
Marin -----	1.707	Sutter -----	.508
Mariposa -----	.874	Tehama -----	1.042
Mendocino -----	2.423	Trinity -----	.351
Merced -----	1.881	Tuolumne -----	.717
Modoc -----	.549	Yolo -----	2.242
Monterey -----	2.604	Yuba -----	.696"
Napa -----	.719		

#### Amendment No. 23

On page 5 of said bill, between lines 3 and 4, insert

"Imperial -----	1.454	San Bernardino -----	6.396
Inyo -----	.319	San Diego -----	6.092
Kern -----	4.759	San Luis Obispo -----	3.998
Los Angeles -----	52.100	Santa Barbara -----	5.524
Mono -----	.262	Tulare -----	2.584
Orange -----	8.114	Ventura -----	3.725"
Riverside -----	4.673		

#### Amendment No. 24

On page 5, line 22, of said bill, strike out "Sec. 10. This act provides", and insert "SEC. 22. Sections 1 to 11, inclusive, of this act provide".

#### Amendment No. 25

On page 5, of said bill, strike out line 24, and insert "mediate effect, but shall".

#### Amendment No. 26

On page 5, line 26, of said bill, strike out "4 and 5", and insert "7 and 8".



**Amendment No. 27**

On page 5, line 28, of said bill, strike out "July 1", and insert "June 30".

**Amendment No. 28**

On page 5, line 29, of said bill, after "hicles", insert "after said date; and the change in the expiration dates of operator's and chauffeur's licenses and the increase in fees therefor made by Sections 9, 10, and 11 of this act shall not be applicable to licenses issued on or before June 30, 1953, until the first renewal thereof after said date".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 558**

Senator McCarthy moved that Senate Bill No. 558 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Bill read second time.

**Motion to Amend**

Senator McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in Senate March 4, 1953, after the period, insert "The cost of maintaining and operating the toll bridge, and the approaches thereto that are not on the effective date of this section in the State Highway System, shall be paid out of the tolls and revenues received from the use and operation of the bridge."

**Amendment No. 2**

On page 2, line 12, of said bill, as amended, after the period, insert "At the same time the authority shall assume control of all properties, real and personal, all moneys, funds and other assets of the district, and all moneys and funds of the district shall be transferred into the State Treasury, kept in separate funds, and expended as authorized or required by the provisions of the Bridge and Highway District Act, except that any funds required to be kept in other depositories by provisions of any bond resolution or indenture shall be deposited as required thereunder."

**Amendment No. 3**

On page 2 of said bill, as amended, lines 20 to 22, inclusive, strike out "except expenses incurred with respect to the maintenance of the approaches to the toll bridge".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1881**

Senator Parkman moved that Senate Bill No. 1881 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No 1865.** An act to amend Section 9540 of the Business and Professions Code relating to the regulation and licensing of securities agents and persons engaged therein.

Bill read second time.

Action to Amend

Senator Fairbank moved for adoption of the following amendment:

Amendment No 1

In the 1st of the title of the original bill, delete the word "agent", and insert "agent or person engaged therein" in its place.

Amendment No 2

In the 1st of the title of the original bill, delete the word "agent", and insert "agent or person engaged therein" in its place.

A motion to amend the bill by striking out the word "agent" and inserting "agent or person engaged therein" in its place was adopted.

Amendment No 3

In the 1st of the title of the original bill, delete the word "agent", and insert "agent or person engaged therein" in its place.

A motion to amend the bill by striking out the word "agent" and inserting "agent or person engaged therein" in its place was adopted.

A motion to amend the bill by striking out the word "agent" and inserting "agent or person engaged therein" in its place was adopted.

A motion to amend the bill by striking out the word "agent" and inserting "agent or person engaged therein" in its place was adopted.

A motion to amend the bill by striking out the word "agent" and inserting "agent or person engaged therein" in its place was adopted.

## WITHDREW FROM COMMITTEE OF SENATE BILL NO 1531

Senator Fairbank announced that he had withdrawn from the committee on Education, Finance and Commerce of the bill.

Bill read second time.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No 1535.** An act to repeal Part 7 of Division 2 of Title 2 of the Government Code relating to the State of California, and to amend all laws relating to the government, and to amend all laws relating to the government of the State of California.

securities of or for any funds or accounts under the control of the State or of any of its agencies.

Bill read second time.

#### Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

#### Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend Sections 16424, 16440, and 16474 and to add Article 6 to Chapter 3 of Part 4 of Division 4 of Title 2 of the".

#### Amendment No. 2

In line 6 of the title of said bill, after "agencies", insert ", creating the State Investment Board and prescribing its powers and duties, and abolishing the Retirement Investment Board".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 16424 of the Government Code is amended to read:

16424. [The Department of Finance] *The State Investment Board* may invest such surplus money in the securities specified in Article 2.

SEC. 2. Section 16440 of said code is amended to read:

16440. Securities purchased or held under this chapter may be sold or exchanged for other securities specified in Article 2. The money received from any sale may be reinvested in any such securities by the [Department of Finance] *State Investment Board*.

SEC. 3. Section 16474 of said code is amended to read:

16474. The money in the Surplus Money Investment Fund, exclusive of interest earned or other increment derived from the investment thereof, may be invested and reinvested by the [State Treasurer] *State Investment Board* in bonds or other obligations of the United States or for which the full faith and credit of the United States are pledged, having maturity dates not more than one year from the date of such investment, or redeemable by the United States Treasury at the owner's option at fixed redemption values within one year from the date of such investment. Such securities may be sold by the [State Treasurer] *State Investment Board* or exchanged by [him] *it* for other securities of the kind authorized to be purchased hereunder, if, in [his] *its* discretion, such sale or exchange appears to be in the best interests of the State.

SEC. 4. Article 6 is added to Chapter 3 of Part 2 of Division 4 of Title 2 of said code, to read:

#### Article 6. State Investment Board

16495. There is in the State Government the State Investment Board whose members consist of the State Treasurer, the State Controller, the Director of Finance, and one representative designated by each of the following: the State Teachers' Retirement System, the State Employees' Retirement System, and the State Compensation Insurance Fund.

16495.1. The members of the board shall elect annually from their number a chairman of the board. Any member of the board so elected shall serve as chairman for a term of one year and until his successor is, in like manner, elected. The chairman of the board shall be its presiding officer.

16495.2. The members of the board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties, as approved by the chairman of the board.

16495.3. The board shall appoint an executive officer who shall be known as the State Investment Officer and who shall have such powers and duties as are specified by the board. The State Investment Officer shall be selected by a majority vote of the board and shall receive a salary of fifteen thousand dollars (\$15,000) a year.

The board may employ such technical and clerical assistants as it deems necessary.

16495.4. The board shall have charge of and supervise the investment or reinvestment of all state funds, and the purchase, sale, or exchange of any investments or securities of, or for, any funds or accounts under the control of the State or of any of its agencies.

16495.5. Prior to making any investment, reinvestment, purchase, sale, or exchange of any investments or securities of, or for, any funds or accounts for, or on

behalf of, any state agency, the board shall submit the details thereof to that agency, which shall, within 10 days, exclusive of Sundays and legal holidays, after such submission to it, file with the board its written acceptance or rejection of such proposed investment, reinvestment, purchase, sale, or exchange. The board may make such investment, reinvestment, purchase, sale, or exchange unless the state agency files with it a written rejection thereof.

16495.6. In addition to succeeding to the investment powers heretofore exercised by the Department of Finance and the State Treasurer under this chapter, the State Investment Board shall succeed to and exercise the following powers, functions, and duties:

(a) Of the Board of Administration of the State Employees' Retirement System with reference to the investment of the State Employees' Retirement Fund.

(b) Of the Retirement Investment Board with reference to the investment of funds of the State Teachers' Retirement System.

(c) Of the State Compensation Insurance Fund and the Board of Directors thereof with reference to the investment of moneys belonging to the fund.

(d) Of the State Treasurer with reference to investment of the Unemployment Compensation Disability Fund.

On the effective date of this section, the Retirement Investment Board created by Section 14339 of the Education Code is abolished.

16495.7. All limitations, conditions, and restrictions contained in any law concerning the kind or nature of investment of any of the moneys of any of the funds or accounts referred to in this article, shall continue in full force and effect."

#### **Amendment No. 4**

On page 1 of said bill, strike out lines 2 to 24, inclusive, and on page 2 strike out lines 1 to 30, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 548**

Senator Desmond moved that Senate Bill No. 548 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to Committee on Finance.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 548**—An act to amend Section 4353 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

#### **Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

#### **Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 4353 of", and insert "add Section 4322 to".

#### **Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert "SECTION 1. Section 4322 is added to Article 8 of Chapter 17 of Division 6 of the Agricultural Code, to read:

4322. All moneys received by the director pursuant to this article shall be deposited in the Department of Agriculture Fund in the State Treasury allocated to each separate marketing area from which they are collected and disbursed only for the purposes specified subject to the approval of the director.

Any money received by the director in excess of the amount required for any program shall be returned at such time as the director may determine on a pro-rata basis to the persons from whom such funds were collected."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 549**

Senator Desmond moved that Senate Bill No. 549 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to Committee on Finance.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 549**—An act to amend Section 4353 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 4353", and insert "add Article 12 to Chapter 17 of Division 6".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert "SECTION 1. Article 12 is added to Chapter 17 of Division 6 of the Agricultural Code, to read:

**Article 12. Testing, Weighing and Sampling**

4395. In addition to the enforcement of this chapter by the Bureau of Milk Control, the director is hereby charged with the duty of supervision of the milk fat testing and the weighing and sampling of fluid milk delivered to distributors, which supervision shall be conducted by the Bureau of Dairy Service, and from the funds provided by the provisions of this article he is authorized to allocate to said Bureau of Dairy Service such sum per annum, not exceeding thirty thousand dollars (\$30,000), which shall be used exclusively by said Bureau of Dairy Service for the supervision and checking the correctness of the milk fat and bacteriological tests and the weighing and sampling of all fluid milk delivered to distributors in accordance with the stabilization and marketing plans established pursuant to the provisions of this division."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Motion to Take Bill From the Inactive File**

Senator Byrne moved that Senate Bills Nos. 232 and 529 be taken from the inactive file and placed on the second reading file.

Motion carried.

**COMMUNICATIONS**

The following communication was received and read, and on motion of Senator McCarthy, ordered printed in the Journal:

CORPS OF ENGINEERS, UNITED STATES ARMY  
OFFICE OF THE DISTRICT ENGINEER, SAN FRANCISCO DISTRICT  
SAN FRANCISCO, 9 March 1953

*Hon. John F. McCarthy*  
*California State Senator*  
*State Capitol*  
*Sacramento, California*

DEAR SENATOR MCCARTHY: In compliance with your verbal request at the meeting of California Marine Parks and Harbors Association on 4 March 1953, I am pleased to present the following information pertinent to the comprehensive investigation authorized for the San Francisco Bay.

Section 110 of the River and Harbor Act approved May 17, 1950 (Public Law 516, 81st Congress) provided authorization as follows:

\* \* \* The Secretary of the Army is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made

for such purposes: San Francisco Bay, including San Pablo Bay, Suisun Bay, and other adjacent bays, and tributaries thereto, California.

The foregoing authorization resulted from Senate Resolution 119, 81st Congress, 1st Session. This resolution outlined, in general, the desired scope of this investigation to include study of the needs of the San Francisco Bay Area with respect to "additional transportation arteries, bridges, causeways, and other facilities designed to advance commerce, navigation, national defense, land reclamation, and residential and industrial development of the area including, but not limited to (a) the extent to which such facilities may be utilized to expand or be combined or coordinated with facilities for expansion of the fresh water supply of the area; (b) the extent to which such additional facilities will contribute to national defense, navigation, flood control, irrigation of agricultural lands, the repulsion of salinity, and other authorized Federal functions; (c) the estimated cost of such works."

A preliminary examination report is now under preparation in this office and will be submitted to the Chief of Engineers by early summer 1953. This report will consider the Bay Area problems in light of the scope outlined above, and from reconnaissance and existing data determine the feasibility and scope of a detailed comprehensive survey, including a model study. I can assure you that if the feasibility of such a survey can be substantiated by our findings, the Corps of Engineers is prepared to prosecute the comprehensive study as rapidly as funds are made available by Congress.

With reference to your request for copies of the Information Pamphlet on Small Boat Harbors and Shelters, Coast of California, published in 1949, I regret to have to inform you that the supply has been exhausted and no further printing is scheduled. I am inclosing, however, five (5) copies of our Project and Index Maps for 1952 which contain essentially the same type of information as the pamphlet; however, this information is more current.

I trust the foregoing information meets with your immediate needs in this matter. If I can assist you further, please do not hesitate to call upon me.

Very truly yours,

HENRY WALSH  
Colonel, Corps of Engineers  
District Engineer

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.06 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Labor

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 67

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 85

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 982

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

MILLER, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 315

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

MILLER, Vice Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 256

Senate Bill No. 257

Assembly Bill No. 2342

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

MILLER, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 10, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 524

Assembly Bill No. 709

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

MILLER, Vice Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 15

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 64

Senate Resolution No. 76

Senate Resolution No. 70

Senate Resolution No. 77

Senate Resolution No. 75

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred: Senate Bill No. 127

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Concurrent Resolution No. 49:** By Senators Breed, Erhart, Abshire, Busch, Collier, Coombs, Gibson, Grunsky, Kraft, McBride, Mc'arthy, Miller, Murdy, O'Gara, Parkman, Ward, Tenney, Way, and Weybret—Relative to the creation of a Fact Finding Committee on Marine Affairs of this State.

Referred to Committee on Rules.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 429**

Senator Powers moved that Assembly Bill No. 429 be withdrawn from Committee on Finance and re-referred to Committee on Revenue and Taxation.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 37

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

**ADJOURNMENT**

At 4.15 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, March 13, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-FIFTH LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Friday, March 13, 1953

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Williams, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Gibson, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator Hatfield, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Maitland S. Pennington of San Francisco.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Roy Seabridge and Councilman Herbert A. Wood, both of Huntington Beach.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Harry Free of El Centro.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of Professor Alonzo Baker's State Government Class of College of the Pacific: Charles Anderson, Robert Anderson, Lorraine Anderson, Emanuel Berhano, Marilyn Boggess, William Dutart, Helen Blomster, Fred Hutchinson, Robert Moore, John Orton, Jean Rankin, Saburo Oshita, John Poulos, William Wharkey, Barbara Sharkey, John Stewart, Gerald Taylor, Dorothy Taylor, James Trahern, and Laird Williams.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Hayenga of Galt.

On request of Senators Miller and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George F. Malone and Si Connelly of Oakland.

On request of Senators Miller and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kamini K. Gupta of San Francisco.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Columbian Squires with Cecil Perrin in charge of the group: Roger Baffoni, Dominic Battaglia, James Beckman, Ralph Berg, Robert Comartin, Tony Comporato, Chas. Dahlgren, Jr., David Dillon, James Gilbeau, Ben Harrison, David King, Don Mencarini, John Mondavi, and Jim Schmiedt.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Donna Mallagh of San Luis Obispo.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 12, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

SHERMAN W. MACDONALD, a resident of Atherton; business executive; a Member of the Industrial Accident Commission since January 22, 1946;

to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1957.

JAMES WELSH, a resident of San Francisco; attorney at law; graduate of Stanford University, A.B., LL.B., 1940; member of the Governor's staff since 1943;

to the Industrial Accident Commission, vice Everett A. Corten, resigned, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Messages read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

**BERNARD R. CALDWELL**, a resident of Sacramento; Commissioner of the California Highway Patrol;

to the California State Communications Advisory Board, vice Clifford Peterson, deceased, for the term prescribed by law, ending December 31, 1956.

Respectfully,

**EARL WARREN**, Governor

Message read, and referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 249  
Assembly Bill No. 250  
Assembly Bill No. 251  
Assembly Bill No. 297  
Assembly Bill No. 366  
Assembly Bill No. 423  
Assembly Bill No. 426  
Assembly Bill No. 430  
Assembly Bill No. 547  
Assembly Bill No. 839  
Assembly Bill No. 1065  
Assembly Bill No. 1084  
Assembly Bill No. 1087  
Assembly Bill No. 1095  
Assembly Bill No. 1106  
Assembly Bill No. 1321  
Assembly Bill No. 1322  
Assembly Bill No. 1323  
Assembly Bill No. 1324  
Assembly Bill No. 1464  
Assembly Bill No. 1478

Assembly Bill No. 1481  
Assembly Bill No. 1484  
Assembly Bill No. 1485  
Assembly Bill No. 1807  
Assembly Bill No. 1960  
Assembly Bill No. 1964  
Assembly Bill No. 1965  
Assembly Bill No. 1985  
Assembly Bill No. 1986  
Assembly Bill No. 1988  
Assembly Bill No. 1990  
Assembly Bill No. 1995  
Assembly Bill No. 2002  
Assembly Bill No. 2003  
Assembly Bill No. 2007  
Assembly Bill No. 2008  
Assembly Bill No. 2009  
Assembly Bill No. 2013  
Assembly Bill No. 2014  
Assembly Bill No. 2015  
Assembly Bill No. 2016

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PATRICK MURPHY**, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2278  
Assembly Bill No. 2372

Assembly Bill No. 2832  
Assembly Bill No. 2944

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PATRICK MURPHY**, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 22

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
By **PATRICK MURPHY**, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 249**—An act to add Sections 18004 and 18672.1 to, and to amend Section 18671 of, the Financial Code, relating to industrial loan companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 250**—An act to amend Sections 18655 and 18656 of the Financial Code, relating to loan regulations.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 251**—An act to amend Section 18410 of the Financial Code, relating to industrial loan companies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 297**—An act to amend Section 1224 of the Financial Code, relating to the issuance of letters of credit by commercial banks.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 366**—An act to amend Section 28113 of the Government Code, relating to compensation for public service in counties of the thirteenth class.

Referred to Committee on Local Government.

**Assembly Bill No. 423**—An act to amend Sections 18434, 18470, 18472, and 18477 of, and to add Sections 17690.8 and 18586.4 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 426**—An act to amend Sections 17813, 18132.12, 18163, and 18402 of, and to add Section 18402.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 430**—An act to amend Section 25071g of, and to repeal Section 25035 of, and to add Sections 25035, 25035a, 25035b, 25035c and 25675 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 547**—An act to amend Section 10460 of, and to add Sections 10103, 10463, and 10464 to, the Business and Professions Code, relating to real estate brokers' and salesmen's licenses.

Referred to Committee on Business and Professions.

**Assembly Bill No. 839**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Referred to Committee on Labor.

**Assembly Bill No. 1065**—An act to amend Section 45 of the Elections Code, relating to the signing of petitions or papers by voters.

Referred to Committee on Elections.

**Assembly Bill No. 1084**—An act to amend Section 5550 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections.



**Assembly Bill No. 1087**—An act to repeal and add Section 5700 of the Elections Code, relating to procedure at the polls.

Referred to Committee on Elections.

**Assembly Bill No. 1095**—An act to amend Sections 7011 and 7020 of the Elections Code, relating to stringing ballots.

Referred to Committee on Elections.

**Assembly Bill No. 1106**—An act to amend Section 9854 of the Elections Code, relating to the conduct of municipal elections.

Referred to Committee on Elections.

**Assembly Bill No. 1321**—An act to add Section 14805.5 to the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1322**—An act to amend Sections 14804 and 14805 of the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1323**—An act to amend Section 14454 of the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1324**—An act to add Section 15407 to the Financial Code, relating to credit unions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1464**—An act to add Section 3121.5 to the Financial Code, relating to the transmittal by the Superintendent of Banks to the State Controller of signature cards and other identifying information in connection with unclaimed money or other property deposited in the State Treasury.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1478**—An act to amend Section 7540 of the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1481**—An act to amend Section 7536 of the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1484**—An act to amend Sections 7545 and 7580 of, and to add Section 7527.5 to, the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1485**—An act to amend Section 7550 of, and to add Article 5.5, comprising Sections 7555 to 7555.8, inclusive, to Chapter 11 of Division 3 of, the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1807**—An act to amend Sections 34856 and 36510 of the Government Code, relating to the government of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1960**—An act to amend Sections 28105, 28109, 28110, 28111, 28112, 28113, 28114, 28115, 28117, 28119, 28120, 28121, 28123, 28124, 28125, 28126, 28127, 28128, 28129, 28131, 28132, 28133, 28134, 28135, 28136, 28137, 28139, 28141, 28142, 28143, 28145, 28146, 28147, 28148, 28150, 28152, 28153, 28155, and 28156 of the Government Code and to repeal Section 28101.1 of said code, relating to salaries of county officers.

Referred to Committee on Local Government.

**Assembly Bill No. 1964**—An act to amend Section 3513 of the Financial Code, relating to investment of stock of corporations engaging in international banking.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1965**—An act to add a chapter heading to Division 1 of the Financial Code, relating to prohibited practices by banks and penalties therefor.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1985**—An act to amend Sections 2503, 2505, 2508, 6801 and 6802 of the Labor Code, relating to the powers of the Public Utilities Commission.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1986**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation for industrial disease.

Referred to Committee on Labor.

**Assembly Bill No. 1988**—An act to amend Section 1204 of the Labor Code, relating to the employment of women and minors.

Referred to Committee on Labor.

**Assembly Bill No. 1990**—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1995**—An act to amend and renumber Section 14074.5 of the Health and Safety Code as added by Chapter 1587, Statutes of 1951, relating to fire protection districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2002**—An act to amend Section 37500 of the Government Code, relating to the government of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2003**—An act to amend Section 31645 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Local Government.

**Assembly Bill No. 2007**—An act to amend and renumber Section 11007.5 of the Government Code as added by Chapter 1612 of the Statutes of 1951, relating to state agencies insuring its officers and employees against flight injuries.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2008**—An act to amend Sections 120, 1121, 1122, 1123, 1124, 1125 and 5196 of the Streets and Highways Code, relating to railroads.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2009**—An act to repeal Article 2 of Chapter 1 of Part 6 of Division 1 of the Revenue and Taxation Code, relating to publication of the delinquent list in county of the first class.

Referred to Committee on Local Government.

**Assembly Bill No. 2013**—An act to amend the chapter heading of Chapter 11 of Division 6 of the Public Utilities Code, relating to annexation of unincorporated territory by municipal utility districts.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2014**—An act to repeal Chapter 8.5 of Part 1 of Division 1 of the Public Utilities Code, relating to excess rate escheat proceedings.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2015**—An act to amend Sections 735, 736, 819, 3606, and 4081 of the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2016**—An act to repeal Section 8352 of the Public Resources Code, relating to rights of way over state land.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2278**—An act to amend Sections 28111, 28116, 28120, 28130, 28133, 28140, 28142, 28150, and to repeal Sections 28115 and 28148 of the Health and Safety Code, relating to cold storage.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2372**—An act to amend Sections 176 and 180.7 of the Vehicle Code, relating to vehicle registration and transfer thereof.

Referred to Committee on Transportation.

**Assembly Bill No. 2832**—An act to amend Sections 3, 4, 5, 9, 11, 12, 13, 14, 15, 20, 21, and 25 of the Parking District Act of 1951, to add Sections 19a and 23a to said act, and to repeal Section 27 of said act, and to repeal Sections 35563, 35566, and 35704 of, to add Sections 35269.5, 35272.5, 35401.5, 35415.5, 35430, 35431, 35554.5, 35704, and 35705 to, and to amend Sections 35108, 35250, 35251, 35258, 35268, 35272, 35273, 35400, 35401, 35402, 35404, 35407, 35411, 35414, 35558, 35560, 35561, 35562, 35564, 35565, 35571, and 35703 of, the Streets and Highways Code,

relating to the formation of districts within municipalities for the acquisition and improvement of parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable from revenues from such parking places from revenues from parking meters on some or all of the public ways in such districts and from ad valorem assessments upon real property in such districts; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 2944**—An act to amend Section 699 of the Vehicle Code, relating to exceptions to length limitations.

Referred to Committee on Transportation.

**Assembly Joint Resolution No. 22**—Relative to the location of the new Air Force Academy.

Referred to Committee on Rules.

#### RESOLUTIONS

The following resolution was offered:

By Senator Ed. C. Johnson:

##### Senate Resolution No. 79

Relative to the birthday of W. T. Ellis

WHEREAS, A distinguished native son reaches the honorable age of 87 on March 17, 1953; and

WHEREAS, W. T. Ellis was born in Marysville, Yuba County, in 1861, and has given fully of himself for 65 years, since 1888, in the service of his city, county, and State Government; and

WHEREAS, His civic career began as a member of the Yuba County Board of Supervisors in 1888; and

WHEREAS, He was appointed by Governor Robert W. Waterman, in 1889, to the Board of Directors of the District Fair Association, and served as member and president until 1892; and

WHEREAS, He was elected Mayor of Marysville in 1894 and again in 1896; and

WHEREAS, He was elected to the Marysville Levee Commission in 1900 and served as president for 12 years; and

WHEREAS, He was appointed by Governor Hiram Johnson to the State Reclamation Board at its inception in 1912, was elected its first secretary, and served on the board for 10 years; and

WHEREAS, He returned to the Marysville Levee Commission in 1920, and has served continuously since that time, at present occupying the position of manager, and during that time also served as county supervisor; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Members of the Senate extend their heartiest congratulations to W. T. Ellis on the occasion of his 87th birthday; and be it further

*Resolved,* That the Secretary of the Senate be hereby directed to transmit a copy of this resolution to Mr. W. T. Ellis.

Resolution read, and unanimously adopted on a motion of Senator Ed. C. Johnson.

##### Senator Brown Presiding

At 10.20 a.m., Senator Charles Brown of the Twenty-eighth District, presiding.



**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Concurrent Resolution No. 50:** By Senators Powers, Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams. —Relative to the passing of the Honorable Jesse M. Mayo.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 50, at this time, for consideration.

**CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 50**

**Senate Concurrent Resolution No. 50**—Relative to the passing of the Honorable Jesse M. Mayo.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

Resolution ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 148**—An act to amend Section 14075 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "the sum of not less than one dollar (\$1)", and insert "in a reasonable sum".

**Amendment No. 2**

On page 1, line 15, of said bill, after the word "fire", insert "or drill".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1876**—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "is empowered to pay to"; strike out lines 4 to 7, inclusive, and insert "may make an annual payment with respect to property belonging to the district in such amount as it may determine, in lieu of ad valorem

taxes collected by each city or county in which such property belonging to the district is situated.

Payments may be made to the appropriate city or county tax collector and when received by any tax collecting agency under this section shall be distributed pursuant to Chapter 1a, Part 8, Division 1, of the Revenue and Taxation Code."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 624**—An act to provide for the transfer of certain documents to the State Lands Commission with respect to sales of tide-lands in San Francisco Bay pursuant to Chapter 543 of the Statutes of 1867-68.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 814**—An act to amend Section 1956 of the Government Code, relating to the insurance of public officers against liability.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 900**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54348, 54349, 54384, 54420, 54421, 54422, 54423, 54424, 54426, 54427, 54431, 54432, 54434, 54467, 54478, 54513, 54514, 54515, 54516, 54519, 54522, 54524, and 54552 of, adding Sections 54301.1, 54346.3, 54516.1, and 54615 to, and repealing Section 54343 of, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the authorization, issue and sale of revenue bonds by local agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1080**—An act to amend Section 6218 of the Public Resources Code, relating to fees of the State Lands Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1533**—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, Chapter 330 of the Statutes of 1935, and to amend Sections 24073 and 24074 of the Business and Professions Code, relating to the transfer of retail licenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1633**—An act to add Sections 7.5 and 7.6 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 504**—An act to add Section 12264 to the Government Code, relating to microfilming and disposition of articles of incorporation and other corporate documents and records by the Secretary of State, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 17, and insert "Sec. 2. The sum of eighty-five thousand dollars (\$85,000) is hereby".

**Amendment No. 2**

On page 1, line 10, of said bill, following the word "so", insert "returned or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1640**—An act to add Article 5d to Chapter 6 of Division 4 of the Military and Veterans Code, relating to the investment of surplus funds in the Veterans' Farm and Home Building of 1943, creating the Veterans Affairs Construction Fund and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "996.14. The Public Works Board, pursuant to the provisions of the Property Acquisition Act, may acquire real property, and the department may construct and equip buildings thereon, primarily".

**Amendment No. 2**

On page 1, in line 11, of said bill, strike out "its", and insert "the department's".

**Amendment No. 3**

On page 1, lines 16 and 17, strike out "Director of Veterans Affairs and upon executive order of the Director of Finance", and insert "California Veterans Board".

**Amendment No. 4**

On page 2, lines 21 and 22, strike out "Department of Finance", and insert "California Veterans Board".

**Amendment No. 5**

On page 2, line 27, of said bill, after "Affairs," insert "with approval of the California Veterans Board".

**Amendment No. 6**

On page 2, lines 35 and 36, of said bill, strike out "with approval of the Department of Finance".

**Amendment No. 7**

On page 2 of said bill, strike out lines 37 to 47, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 232**—An act to amend Section 5003 of the Penal Code, relating to the correctional system.

Bill read second time, and ordered to third reading.

**Senate Bill No. 529**—An act to amend Section 5091 of the Penal Code, relating to the state correctional system.

Bill read second time, and ordered to third reading.

**Senate Bill No. 67**—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Labor :

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 5 to 7, inclusive, and insert "(h) Any person performing voluntary services at or for a recreational camp, hut or lodge operated by a nonprofit organization, of which he or a member of his family is a member and who receives no compensation for such services other than meals, lodging or transportation."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 85**—An act to amend Section 1394.5 of the Labor Code, relating to entertainment by minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Labor :

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "lodge", insert ", service club or similar organization".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 982**—An act to amend Section 7102.2 of the Education Code, relating to the Public School System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education :

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7102.2", and insert "18901".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "7102.2", and insert "18901".

**Amendment No. 3**

On page 1 of said bill, strike out lines 3 to 9, inclusive, and insert "18901. The governing board of each school district throughout the State shall provide for each schoolhouse under its control, a suitable flag of the United States, which shall be hoisted above each schoolhouse during all school sessions and on school holidays, weather permitting.

The governing board of each school district shall provide smaller and suitable United States flags to be displayed in each schoolroom at all times during the school sessions. The governing board of each school district shall enforce this section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 256**—An act to amend Section 4862 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education :

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "accreditation", insert ".".



**Amendment No. 2**

On page 1, line 13, of said bill, strike out "by a regional accrediting"; and strike out lines 14 to 20, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 257**—An act to amend Section 4861 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "such ap-".

**Amendment No. 2**

On page 1 of said bill, strike out all of lines 14 to 20, inclusive.

**Amendment No. 3**

On page 1, line 21, of said bill, strike out "State Board of Education".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 524**—An act to add Section 2103.1 to the Education Code, relating to the Public School System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Concurrent Resolution No. 15**—Relative to amending the Joint Rules of the Senate and Assembly for the 1953 Regular Session of the California Legislature, by adding Rule 41 thereto, relating to industrial injury reports.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Rules:

**Amendment No. 1**

On page 1, line 9, of the printed measure, strike out "may", and insert "shall".

**Amendment No. 2**

On page 1, line 10, of said measure, strike out "suffered by a member or", and insert "arising out of and within the course of employment suffered by any member, officer or employee of the house, or any".

**Amendment No. 3**

On page 1, line 11, of said measure, strike out "of the house in the", strike out lines 12 to 14, inclusive, and insert "thereof. In the case of a joint committee, the chairman of the Rules Committee of either house may sign any such".

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 127**—An act providing for the compilation, publication, and distribution of a State Blue Book and to amend Section 13607 of the Government Code.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Senate March 5, 1953, strike out the period, and insert ", relating to the State Blue Book and prohibiting any person from publishing or selling any publication of the same or a similar name."

**Amendment No. 2**

On page 1, line 14, of said bill, after "General," insert "the Legislative Counsel,".

**Amendment No. 3**

On page 1 of said bill, after line 24, insert "Any person who publishes or sells any publication whose title contains the words "State Blue Book," "California Blue Book," or any similar words which tend to confuse the publication with the State Blue Book authorized by this act is guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1161**—An act to amend Section 17091 of the Government Code, relating to duplicate state warrants.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1165**—An act to add Section 12478 to the Government Code, relating to duplicate state pay roll warrants.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1167**—An act to repeal Article 2 of Chapter 1, Part 4, Division 4, Title 2, comprising Sections 17030 to 17034, inclusive, of the Government Code, relating to disbursing officers' warrants.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2342**—An act to add Sections 371, 372, and 373 to the Education Code, relating to the sale of publications produced by the county superintendent of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "price", insert "not to exceed the estimated cost of production".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 709**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Bill read second time, and ordered to third reading.

## THIRD READING OF SENATE BILLS

## Senate Resolution No. 70

Relative to the continuance of the Committee on Civil Service

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Committee on Civil Service created by Senate Resolution No. 121 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly (and of the Standing Rules of the Senate), as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

## Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Way, Weybret—25.

NOES—None.

## President pro Tempore of the Senate Presiding

At 10.29 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

## Senate Resolution No. 75

Relating to the continuance of the Senate Interim Committee on Workmen's Compensation Benefits

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Workmen's Compensation Benefits created by Senate Resolution No. 189 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution, together with the sum of four thousand five hundred dollars (\$4,500) from the Contingent Fund of the Senate, is hereby made available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

## Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Way, and Weybret—25.

NOES—None.

## Senate Resolution No. 76

Relative to the continuance of the Senate Interim Committee on Petitions and Complaints

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Petitions and Complaints created by Senate Resolution No. 29 of the 1952 Second Extraordinary Session is continued as a Senate committee at this session, with the membership and with all the rights, powers, and

duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature until April 15, 1953, with authority to file its report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

### Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Way, and Weybret—28.

NOES—None.

### Senate Resolution No. 64

Relative to the continuance of the Senate Interim Committee on Social Welfare

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Social Welfare created by Senate Resolution No. 181 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment. The committee shall file the final report of the studies made by it prior to the adoption of this resolution by the date specified for such final report in Senate Resolution No. 181 of the 1951 Session, but may file supplemental reports of studies made pursuant to this resolution at any time until the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

### Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—28.

NOES—None.

### Senate Resolution No. 77

Relating to the continuance of the Senate Interim Judiciary Committee

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Judiciary Committee created by Senate Resolution No. 200 at the 1951 Regular Session is continued as a Senate committee at this regular session, with the members and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report no later than the final legislative day.

3. The provisions of the Joint Rules of the Senate and Assembly and of the standing rules of the Senate are applicable to this committee and its members.



4. The unexpended balance of the money heretofore allocated to the aforesaid committee from the Contingent Fund of the Senate shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims which may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, Way, and Weybret—26.

NOES—None.

#### President of the Senate Presiding

At 10.41 a.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1457**—An act to amend Section 2 of Chapter 1451 of the Statutes of 1951, relating to the compensation of the judges, officers, and attaches of the municipal court.

#### Motion to Re-Refer Senate Bill No. 1457

Senator Kraft moved that Senate Bill No. 1457 be re-referred to Committee on Governmental Efficiency.

Motion carried.

**Senate Bill No. 1125**—An act to amend Section 1829 of the Elections Code, relating to the posting of the results of school district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 231**—An act to amend Section 2046 of the Penal Code, relating to the state correctional system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1150**—An act to amend Section 31553.5 of the Government Code, relating to county retirement systems.

#### Motion to Refer Bill to Inactive File

Senator Breed moved that Senate Bill No. 1150 be placed on the inactive file.

Motion carried.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 866**—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—23.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

## LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE  
March 13, 1953

*Hon. Goodwin J. Knight, President  
and Members of the Senate:*

**GENTLEMEN:** Your Senate Interim Committee on Adult Education created by Senate Resolution 185 (Senate Journal June 23, 1951, page 3960), presents herewith a partial report of its activities, and the result of its study to date, together with its recommendations.

Respectfully submitted by,

HAROLD T. JOHNSON  
NELSON S. DILWORTH  
PAUL L. BYRNE  
VERNE W. HOFFMAN

## MOTION TO PRINT REPORT

Senator Harold T. Johnson moved that the letter of transmittal be printed in the Journal, and the partial report submitted by the Senate Interim Committee on Adult Education be printed in the Appendix to the Journal, and 5,000 additional copies be printed.

Motion carried.

## LETTER OF TRANSMITTAL

SACRAMENTO, March 13, 1953

*Honorable Goodwin J. Knight  
President of the Senate  
Senate Chamber  
Sacramento, California*

**DEAR MR. PRESIDENT:** Pursuant to Senate Resolution No. 187, adopted June 23, 1951, the Senate Interim Committee on Narcotics and Hypnotics was created and the following senators were appointed members thereof:

Fred H. Kraft, Chairman  
A. A. Erhart  
Ed. C. Johnson

Your committee wishes to submit the following report. The problem of the illicit market in narcotics has attracted considerable public attention during this interim and many groups have been investigating it. However, the members of your committee are very well aware that this is a continuing problem and recommends that our interest never be relaxed. It is most important that we continue our study of this matter even during those periods when public attention is not focused upon it.

Your committee therefore regards the following report as merely a beginning study of the entire situation.

Respectfully submitted,

FRED H. KRAFT, Chairman  
A. A. ERHART  
ED. C. JOHNSON

**MOTION TO PRINT REPORT**

Senator Kraft moved that the letter of transmittal be printed in the Journal, and the first report submitted by the Senate Interim Committee on Narcotics and Hypnotics be printed in the Appendix to the Journal, and 1,500 additional copies be printed.

Motion carried.

**RESOLUTIONS**

The following resolutions were offered:

By Senator Cunningham:

**Senate Resolution No. 80**

Relative to the continuance of the Senate Interim Committee on Regulation of Highway Carriers

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Regulation of Highway Carriers created by Senate Resolution 213, 1951 Regular Session, is hereby continued in existence until April 1, 1953, for the sole purpose of filing its final report.

2. The committee may use the unexpended balance of the money heretofore made available to the committee, for the purposes of compiling, preparing and presenting its final report.

Resolution read, and referred to the Committee on Rules.

**Senate Resolution No. 81**

Relative to the Senate Interim Committee on the Education and Rehabilitation of the Handicapped Children and Adults

*Resolved by the Senate of the State of California, As follows:*

(1) The Senate interim committee on the special education and rehabilitation of handicapped children created by Senate Resolution No. 204, of the 1951 Regular Session, is continued as a Senate committee at this regular session, with the members and all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

(2) The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report not later than the last legislative day.

(3) The provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Senate are applicable to this committee and its members.

(4) The unexpended balance of the money heretofore allocated to the committee from the Contingent Fund of the Senate shall continue to be available for the expenses of the committee and its members, and for any charges, expenses or claims which it may incur under this resolution to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasury.

Resolution read, and referred to the Committee on Rules.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 80

Senate Resolution No. 81

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Cunningham asked for, and was granted, unanimous consent to take up Senate Resolution No. 80, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 80

## Senate Resolution No. 80

Relative to the continuance of the Senate Interim Committee on  
Regulation of Highway Carriers

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Regulation of Highway Carriers created by Senate Resolution No. 213, 1951 Regular Session, is hereby continued in existence until April 1, 1953, for the sole purpose of filing its final report.

2. The committee may use the unexpended balance of the money heretofore made available to the committee, for the purposes of compiling, preparing and presenting its final report.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Tenney, Thompson, Way, and Weybret—23.

NOES—None.

## Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Senate Resolution No. 81, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 81

## Senate Resolution No. 81

Relative to the Senate Interim Committee on the Education and Rehabilitation of the  
Handicapped Children and Adults

*Resolved by the Senate of the State of California, As follows:*

(1) The Senate interim committee on the special education and rehabilitation of handicapped children created by Senate Resolution No. 204, of the 1951 Regular Session, is continued as a Senate committee at this regular session, with the members and all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

(2) The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report not later than the last legislative day.

(3) The provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Senate are applicable to this committee and its members.

(4) The unexpended balance of the money heretofore allocated to the committee from the Contingent Fund of the Senate shall continue to be available for the expenses of the committee and its members, and for any charges, expenses or claims which it may incur under this resolution to be paid from said contingent fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasury.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Powers, Tenney, Thompson, Way, and Weybret—22.

NOES—None.

## RESOLUTIONS

The following resolution was offered:

By Senator McCarthy:

## Senate Resolution No. 82

Relative to the continuance of the Committee on Problems Concerning the Inclusion  
of the Golden Gate Bridge into the State Highway System

*Resolved by the Senate of the State of California, As follows:*

1. The Committee on Problems Concerning the Inclusion of the Golden Gate Bridge into the State Highway System created by Senate Resolution No. 173 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members



immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after April 17, 1953, with authority to file its final report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as such rules are amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 82

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

### Request for Unanimous Consent

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Resolution No. 82, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 82

### Senate Resolution No. 82

Relative to the continuance of the Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System

*Resolved by the Senate of the State of California, As follows:*

1. The Committee on Problems Concerning the Inclusion of the Golden Gate Bridge Into the State Highway System created by Senate Resolution No. 173 of the 1951 Session is continued as a Senate committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after April 17, 1953, with authority to file its final report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as such rules are amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Powers, Thompson, Ward, Way, and Weybret—22.

NOES—None.

## RESOLUTIONS

The following resolutions were offered by Senator Miller:

### Senate Resolution No. 83

Relating to the continuance of the Senate Interim Committee on Nurse Problems

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Nurse Problems created by Senate Resolution No. 214 at the 1951 Regular Session is continued as a Senate committee at this regular

session, with the members and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report no later than the final legislative day.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate are applicable to this committee and its members.

4. The unexpended balance of the money heretofore allocated to the aforesaid committee from the Contingent Fund of the Senate is continued to be available for the expenses of the committee and its members and for any charges, expenses, or claims which may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the Treasurer.

Resolution read, and referred to Committee on Rules.

#### Senate Resolution No. 84

Relative to the continuance of the Senate Interim Committee on Corrections

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Corrections created by Senate Resolution 176, 1951 Regular Session, is hereby continued in existence until May 1, 1953, for the sole purpose of filing its final report.

2. The committee may use the unexpended balance of the money heretofore made available to the committee, for the purposes of compiling, preparing and presenting its final report.

Resolution read, and referred to Committee on Rules.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 83

Senate Resolution No. 84

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

#### Request for Unanimous Consent

Senator Miller asked for, and was granted, unanimous consent to take up Senate Resolution No. 83, at this time, for consideration.

### CONSIDERATION OF SENATE RESOLUTION NO. 83

#### Senate Resolution No. 83

Relating to the continuance of the Senate Interim Committee on Nurse Problems

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Nurse Problems created by Senate Resolution No. 214 at the 1951 Regular Session is continued as a Senate committee at this regular session, with the members and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of this committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, and to file a final report no later than the final legislative day.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate are applicable to this committee and its members.

4. The unexpended balance of the money heretofore allocated to the aforesaid committee from the Contingent Fund of the Senate shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or

claims which may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the Treasurer.

Resolution read.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 11.30 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.38 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Resolution No. 83 was adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—26.

NOES—None.

#### Request for Unanimous Consent

Senator Byrne asked for, and was granted, unanimous consent to take up Senate Resolution No. 84, at this time, for consideration.

#### CONSIDERATION OF SENATE RESOLUTION NO. 84

##### Senate Resolution No. 84

Relative to the continuance of the Senate Interim Committee on Corrections

*Resolved by the Senate of the State of California, As follows :*

1. The Senate Interim Committee on Corrections created by Senate Resolution 176, 1951 Regular Session, is hereby continued in existence until May 1, 1953 for the sole purpose of filing its final report.

2. The committee may use the unexpended balance of the money heretofore made available to the committee, for the purposes of compiling, preparing and presenting its final report.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—25.

NOES—None.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 882

Senator Erhart moved that Senate Bill No. 882 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 882**—An act to amend Section 20432 of the Education Code, relating to state colleges.

Bill read second time.

**Motion to Amend**

Senator Erhart moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 6, 7, and 8, of the printed bill, strike out "becoming successful teachers in the public schools of the State or incapable of benefiting by the instruction offered by that college", and insert "completing the college course or who violate in any substantial manner generally accepted standards of conduct".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 559**

Senator McCarthy moved that Senate Bill No. 559 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 559**—An act to add Chapter 18 to Part 3 of Division 16 of the Streets and Highways Code, creating a debt or debts, liability or liabilities, through the assumption of bonds of bridge and highway districts, defining the powers and duties of state officers in respect to the administration of the provisions hereof, providing ways and means for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures, and providing that no tax shall be levied under Chapters 11 and 16 of Part 3 of Division 16 of the Streets and Highways Code for the payment of the interest or principal of the outstanding bridge and highway district bonds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1954.

Bill read second time.

**Motion to Amend**

Senator McCarthy moved the adoption of the following amendment:

**Amendment No. 1**

On page 3 of the printed bill, between lines 4 and 5, insert "27357. On the effective date of this chapter the State Treasurer shall become entitled to all books, records, documents, and other papers pertaining to the bonds evidencing the debt or debts, liability or liabilities, assumed by the State under this chapter, and it shall be the duty of the persons in possession of such books, records, documents, and other papers safely to deliver them to the State Treasurer.

The State Treasurer may make the fiscal or other agents of the bridge and highway districts the bonds of which are assumed by the State pursuant to this chapter his agents with respect to the payments of the principal and interest on said bonds."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1516**

Senator Donnelly moved that Senate Bill No. 1516 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1516**—An act to add Article 3, comprising Section 24641, to Chapter 6, Division 12 of the Education Code, relating to courses in sex education in the public schools.

Bill read second time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, between lines 17 and 18, insert

"Any parent or guardian furnished a copy of a textbook or printed or written material pursuant to this section shall return such textbook or material to the principal not later than seven days after it was so furnished. If any parent or guardian fails to make such return, such parent or guardian shall pay to the school district the amount of money necessary to replace such textbook or material."

**Amendment No. 2**

On page 1 of said bill, after line 20, insert

"Nothing in this article shall be construed as authorizing any district to maintain courses in sex education."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 994**

Senator Tenney moved that Senate Bill No. 994 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 994**—An act to amend Sections 1, 2, 3, 4, 5, and 6 of "An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles," approved July 10, 1951.

Bill read second time.

**Motion to Amend**

Senator Tenney moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, strike out lines 1 to 5, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 2, 3, 4, 5, and 6 of, and to add Sections 6a and 6b to, Chapter 1420 of the Statutes of 1951, and to repeal Articles 4, 5, 6, 7, 8, and 9 of, and to add Articles 4, 5, 6, 7, 8, and 9 to, Chapter 9 of Title 8 of the Government Code, relating to officers and attaches of municipal courts in the County of Los Angeles."

**Amendment No. 2**

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2 of the act cited in the title hereof is amended to read:

Sec. 2. In each municipal court established in a judicial district within the County of Los Angeles and having five judges authorized by law the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of court and administrative officer who shall be appointed by the judges of the court and who shall receive eight hundred fifty dollars (\$850) monthly and who may appoint the following:

One deputy clerk (chief division clerk, civil department) who shall receive five hundred seventy-five dollars (\$575) monthly;

One deputy clerk (chief division clerk, criminal department) who shall receive five hundred seventy-five dollars (\$575) monthly;

One deputy clerk (chief division clerk, traffic department) who shall receive five hundred seventy-five dollars (\$575) monthly;

One deputy clerk (jury secretary who shall also act as a courtroom clerk) who shall receive five hundred seventy-five dollars (\$575) monthly;

One deputy clerk (chief division clerk, accounting department and cashier) who shall receive five hundred seventy-five dollars (\$575) monthly;

One deputy clerk (court calendar clerk) who shall receive four hundred sixty-four dollars (\$464) monthly;

Four deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly;

Eight deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service;

Four deputy clerks each of whom shall receive three hundred nineteen dollars (\$319) monthly as a beginning salary, with an increment to three hundred thirty-seven dollars (\$337) monthly after six months' service, and a further increment to three hundred fifty-five dollars (\$355) monthly after an additional one year's service.

Five deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service;

Five deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

Sec. 2. Section 3 of said act is amended to read:

Sec. 3. In each municipal court established in a judicial district within the County of Los Angeles and having three judges authorized by law the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of court and administrative officer who shall be appointed by the judges of the court and who shall receive seven hundred twenty-five dollars (\$725) monthly and who may appoint the following:

One chief deputy clerk who shall also act as jury secretary who shall receive five hundred seventy-five dollars (\$575) monthly;

Three deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly;

Four deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service;

Four deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service;

Eight deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

Sec. 3. Section 4 of said act is amended to read:

Sec. 4. In each municipal court established in a judicial district within the County of Los Angeles and having two judges authorized by law the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of court and administrative officer who shall be appointed by the judges of the court and who shall receive seven hundred twenty-five dollars (\$725) monthly and who may appoint the following:

One chief deputy clerk who shall also act as jury secretary who shall receive five hundred seventy-five dollars (\$575) monthly;

Three deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly;

Four deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service;

Two deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service;

Five deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

SEC. 4. Section 5 of said act is amended to read:

Sec. 5. In each municipal court established in a judicial district within the County of Los Angeles and having one judge authorized by law the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of court and administrative officer who shall be appointed by the judge of the court and who shall receive six hundred sixty dollars (\$660) monthly and who may appoint the following:

Two deputy clerks, one of whom shall act as jury secretary, each of whom shall receive four hundred sixty-four dollars (\$464) monthly;

One deputy clerk who shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service;

Two deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service;

Two deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

SEC. 5. Section 6 of said act is amended to read:

Sec. 6. All persons holding positions at the effective date hereof shall continue in their respective positions without further examination or qualification and at the added compensation provided in Sections 2, 3, 4, and 5 of this act, including increments for continuous prior service in the court in which employed and in any court superseded thereby. Nothing in this act contained shall be construed as abolishing any position filled at the effective date hereof; any person holding such position shall be continued in service at the compensation currently incident to a similar position.

SEC. 6. Section 6a is added to said act, to read:

Sec. 6a. As to appointments made after the effective date hereof, the increments provided in Sections 2, 3, 4, and 5 of this act shall not be automatic but shall be granted only upon order of the clerk of court for meritorious service.

SEC. 7. Section 6b is added to said act, to read:

Sec. 6b. Whenever a position described in Sections 2, 3, 4, or 5 of this act becomes vacant, the appointing authority shall request the civil service commission to certify to him for appointment the three highest persons on the list of eligibles of males or females, or both, and such a list, as indicated in the request of the appointing authority, shall be furnished by the civil service commission, and the appointment made therefrom. If this section be declared unconstitutional, it is the express intent of the Legislature that the remainder of this act shall remain in full force and effect.

SEC. 8. Articles 4, 5, 6, 7, 8, and 9 of Chapter 9, Title 8 of the Government Code are hereby repealed.

SEC. 9. Article 4 of Chapter 9, Title 8 is added to the Government Code, to read:

Article 4. Municipal Courts in Los Angeles County Having Five Judges

72750. This article applies to each municipal court established in a judicial district within the County of Los Angeles and having five judges authorized by law.

72751. There shall be one clerk of court and administrative officer, to be appointed by the judges of the court, who shall receive eight hundred fifty dollars (\$850) monthly.

72752. The clerk of court may appoint:

(a) One deputy clerk (chief division clerk, civil department) who shall receive five hundred seventy-five dollars (\$575) monthly.

(b) One deputy clerk (chief division clerk, criminal department) who shall receive five hundred seventy-five dollars (\$575) monthly.

(c) One deputy clerk (chief division clerk, traffic department) who shall receive five hundred seventy-five dollars (\$575) monthly.

(d) One deputy clerk (jury secretary who shall also act as a courtroom clerk) who shall receive five hundred seventy-five dollars (\$575) monthly.

(e) One deputy clerk (chief division clerk, accounting department and cashier) who shall receive five hundred seventy-five dollars (\$575) monthly.



(f) One deputy clerk (court calendar clerk) who shall receive four hundred sixty-four dollars (\$464) monthly.

(g) Four deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly.

(h) Eight deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service.

(i) Four deputy clerks each of whom shall receive three hundred nineteen dollars (\$319) monthly as a beginning salary, with an increment to three hundred thirty-seven dollars (\$337) monthly after six months' service, and a further increment to three hundred fifty-five dollars (\$355) monthly after an additional one year's service.

(j) Five deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service.

(k) Five deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

SEC. 10. Article 5 of Chapter 9, Title 8, is added to the Government Code, to read:

Article 5. Municipal Courts in Los Angeles County Having Three Judges

72790. This article applies to each municipal court established in a judicial district within the County of Los Angeles and having three judges authorized by law.

72791. There shall be one clerk of court and administrative officer, to be appointed by the judges of the court, who shall receive seven hundred twenty-five dollars (\$725) monthly.

72792. The clerk of court may appoint:

(a) One chief deputy clerk who shall also act as jury secretary who shall receive five hundred seventy-five dollars (\$575) monthly.

(b) Three deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly.

(c) Four deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service.

(d) Four deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service.

(e) Eight deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

SEC. 11. Article 6 of Chapter 9, Title 8 is added to the Government Code, to read:

Article 6. Municipal Courts in Los Angeles County Having Two Judges

72840. This article applies to each municipal court established in a judicial district within the County of Los Angeles and having two judges authorized by law.

72841. There shall be one clerk of court and administrative officer, to be appointed by the judges of the court, who shall receive seven hundred twenty-five dollars (\$725) monthly.

72842. The clerk of court may appoint:

(a) One chief deputy clerk who shall also act as jury secretary who shall receive five hundred seventy-five dollars (\$575) monthly.

(b) Three deputy clerks each of whom shall receive four hundred sixty-four dollars (\$464) monthly.

(c) Four deputy clerks each of whom shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service.

(d) Two deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service.

(e) Five deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.



SEC. 12. Article 7 of Chapter 9, Title 8 is added to the Government Code, to read:

Article 7. Municipal Courts in Los Angeles County Having One Judge

72880. This article applies to each municipal court established in a judicial district within the County of Los Angeles and having one judge authorized by law.

72881. There shall be one clerk of court and administrative officer, to be appointed by the judge of the court, who shall receive six hundred sixty dollars (\$660) monthly.

72882. The clerk of court may appoint:

(a) Two deputy clerks, one of whom shall act as jury secretary, each of whom shall receive four hundred sixty-four dollars (\$464) monthly.

(b) One deputy clerk who shall receive three hundred fifty-five dollars (\$355) monthly as a beginning salary, with an increment to three hundred seventy-five dollars (\$375) monthly after six months' service, and a further increment to three hundred ninety-five dollars (\$395) monthly after an additional one year's service.

(c) Two deputy clerks each of whom shall receive three hundred three dollars (\$303) monthly as a beginning salary, with an increment to three hundred nineteen dollars (\$319) monthly after six months' service, and a further increment to three hundred thirty-seven dollars (\$337) monthly after an additional one year's service.

(d) Two deputy clerks each of whom shall receive two hundred seventy-three dollars (\$273) monthly as a beginning salary, with an increment to two hundred eighty-eight dollars (\$288) monthly after six months' service, and a further increment to three hundred three dollars (\$303) monthly after an additional one year's service.

SEC. 13. Article 8 of Chapter 9, Title 8 is added to the Government Code, to read:

Article 8. Present Employees to Retain Relative Positions

72920. All persons holding positions at the effective date of this chapter shall continue in their respective positions without further examination or qualification and at the added compensation provided in Articles 4, 5, 6, and 7 of this chapter, including increments for continuous prior service in the court in which employed and in any court superseded thereby. Nothing in this chapter contained shall be construed as abolishing any position filled at the effective date of this chapter; any person holding such position shall be continued in service at the compensation currently incident to a similar position.

SEC. 14. Article 9 of Chapter 9, Title 8 is added to the Government Code, to read:

Article 9. Future Increments and Civil Service Lists

73020. As to appointments made after the effective date of this chapter, the increments provided in Articles 4, 5, 6, and 7 of this chapter shall not be automatic but shall be granted only upon order of the clerk of court for meritorious service.

73021. Whenever a position described in Articles 4, 5, 6, or 7 of this chapter becomes vacant, the appointing authority shall request the civil service commission to certify to him for appointment the three highest persons on the list of eligibles of males or females, or both, and such a list, as indicated in the request of the appointing authority, shall be furnished by the civil service commission, and the appointment made therefrom. If this section be declared unconstitutional, it is the express intent of the Legislature that the remainder of this chapter shall remain in full force and effect.

SEC. 15. Sections 8, 9, 10, 11, 12, 13, and 14 of this act to become operative only if Title 8 of the Government Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said Title 8 of the Government Code takes effect, at which time Sections 2, 3, 4, 5, and 6 of the act amended by this act and Sections 6a and 6b as added to the act by this act, are repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; on page 2, strike out lines 1 to 50, inclusive; on page 3, strike out lines 1 to 52, inclusive; on page 4, strike out lines 1 to 50, inclusive; on page 5, strike out lines 1 to 52, inclusive; on page 6, strike out lines 1 to 51, inclusive; on page 7, strike out lines 1 to 51, inclusive, and on page 8, strike out lines 1 to 16, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 238

And reports the same correctly re-engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 12	Senate Bill No. 576
Senate Bill No. 14	Senate Bill No. 751
Senate Bill No. 26	Senate Bill No. 1150
Senate Bill No. 94	Senate Bill No. 1164
Senate Bill No. 185	Senate Bill No. 1165
Senate Bill No. 199	Senate Bill No. 1269
Senate Bill No. 237	Senate Bill No. 1270
Senate Bill No. 240	Senate Bill No. 1485
Senate Bill No. 241	Senate Bill No. 1486
Senate Bill No. 307	Senate Bill No. 1718
Senate Bill No. 560	Senate Bill No. 1778
Senate Bill No. 563	Senate Bill No. 1941
Senate Bill No. 571	

And reports the same correctly engrossed.

POWERS, Chairman

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 50

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above resolution ordered enrolled.

## ADJOURNMENT

At 11.42 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, March 16, 1953, out of respect to the memory of the late Senator Jesse M. Mayo of the Twenty-sixth Senatorial District.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-SIXTH LEGISLATIVE DAY

THIRTY-FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Monday, March 16, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

Quorum present.

### PRAYER

By invitation of the President, prayer was offered by Rev. H. C. Fellers of the First Christian Church.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Hatfield, due to legislative business.

Senator Hulse, on motion of Senator Hatfield, due to legislative business.

Senator Powers, on motion of Senator Hatfield, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Hatfield.

Senator Regan, on motion of Senator Hatfield.

Senator Burns, on motion of Senator Hatfield.

### PLEDGE OF ALLEGIANCE

Senator Tenney led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Irwin Rolley of Crockett.

On request of Senators Hatfield and Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert Willmes and Mrs. Earl Stanley of Balboa Island.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. W. Crawford of Sugar Pine, Tuolumne County, and Walter Quigley of Napa, and Miss Riekey Pometti of Los Angeles.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Instructor Mr. Henderson and the following students of the Muddox Elementary School of Sacramento: Fred Lundberg, Ami Jean Eunice, Kenny Simas, Earl Eunice, Bob Lowery, Tommy Welch, Clifford Rovell, Eliza Walton, Roger Beatty, Frances Powers, Joyce Leonard, Marge Baccetti, Lillian Scharbough, Shirley Turner, Donald Clawson, Steve Porter, Barry Davis, Harley Whitson, Bertie Smith, McKay Thompson, Leroy Setters, Lincoln Lee, Dale Clevenger, George Roach, John Walker, Ruthie Walton, Ruby Martinez, Red Hume, Phillip Mendoza, Carol Worle, Noel Boune, and Wanda Long.

On request of Senators Way and Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. James White of Williams.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard J. Moore and Herbert G. Crowle of Alameda County.

On request of Senators O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry Mitchell of Atherton, Thomas Rotell, and Capt. Angus Cohan of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Martin Chernin and the following Eighth Grade students of Arden Elementary School: James Bell, John Bell, James Bilund, Alan Chambers, Tony Costa, Ronald Cox, James Didion, Jerry Gedney, David Gorman, Richard Hall, James Miller, Richard Morten, Don Park, Carl Pederson, Jack Stiehl, Charles Tanner, William Thielbahr, James Wilkinson, Earl Woodruff, Alec Young, Gary Zumwalt, Russell Pityer, Robert Phillips, Richard Priymich, Dudley Braun, Judy Butler, Carol Ann Cusick, Sue Ratton, Jean Houghton, Toni Isoard, Jeanne Jay, Jan Martin, Marcia Rawson, Janis Raymond, Barbara Rhodes, Lynette Scott, Caroline Sparks, Karen Young, Sandra Zimmerman, Eleanor May, Joyce Parisi, Jeannine Verbeck, Joyce Keller, and Gail Nelson.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. William Westmore, Billy and Mary Westmore and Mrs. John Nelson, all of Woodbridge and Mrs. Theresa Witt of Nebraska.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter



Stewart of Upland, Robert Walline of Ontario, and Ray Ferguson of Ontario.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Harold G. Engstrom and the following students of the Eighth Grade at Central-Gaither Union Elementary School: Dick Godat, Jeannette Hodges, Gary Ott, Loretta Ott, Patsy Ratliff, Billy Reynolds, Nancy Still, Roy Tagawa, Marlyn Ware, and bus driver Clarence Robly.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Assistant Superintendent Mr. Angelo Milani, teacher Mrs. Alice Wade, parents Mrs. Newell Cole, Mrs. Genaro Miguez and the following students of the Tracy Senior Elementary School: Ronnie Addington, Lorenzo Ambriz, Max Ambrose, Fred Asselin, Jerry Barber, Manuel Borges, Richard Brandi, Tommy Bullard, James Carter, Rich Castro, Jerry Choisser, Curtis Cole, Wesley Cooper, Don Gollihar, Max Mobley, Carlos Pimintel, Conn Prock, Manuel Sianez, Clifford Sweatt, Ronnie Saito, Elizabeth Adame, Laverne Adams, Margaret Ambriz, Bonnie Banfill, Mary Calderon, Dolores Capps, Marie Castro, Roberta Clausing, Ernestine Clizbe, Mary Ann Cook, Palma Corso, Ruby Miguez, Loretta Odle, Nancy Jo Sublett, Evelyn Stombaugh, and Patsy Monk.

On request of Senators Erhart and Tenny, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Elmer Moody of San Luis Obispo.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. J. McFadden of Santa Ana.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers, Mr. Homer, Mr. Galvez, and Mr. Meyer and the following students of the eighth grade of the Howe Avenue School: Beverly Barton, Michael Bianco, James Black, Janice Blair, Penny Bloom, Camilla Boyer, Holger Burgess, Sandra Burton, Eddie Butts, Marvin Capin, Anita Capps, Douglas Channel, George Childs, Ronnie Clotheir, Edith Cohen, Ronald Conn, Glendeno Cooper, Harold Corder, Marion Cross, Linda Davis, Lynne Davis, Colleen Duffy, James Dular, Roger Eckhardt, Barbara Elam, Jo Ann Elam, Jim Estabrook, Robert Farmer, Kenny Fat, Jacqueline Fender, Ernestine Flohr, Othilie Franklin, Mary Ellen Glenn, Darlene Gore, Virginia Graves, Jo Ann Green, Judy Griggs, Angela Gummor, Horst Gummor, Gerry Hakari, Donald Haney, Charlene Hanson, Gail Hariss, Sharon Hites, Charlene Hill, Jeraldine Johnson, Judy Johnson, Dean Kerns, Bill Keyser, Barbara Kilgore, Shirley Kitchens, Charles Lacy, Melvin LaRue, Denise Laugenour, Betty Ledesma, Danny Ledesma, Larry Linville, Robert Logan, Kenneth Lucas, John Lynn, Ronald Maderos, Lucille Marlin, Christine Martin, Sharon Mason, Gail McNatt, Jack McKee, Pat McLaughlin, Karin Miller, Thomas Mitchell, Kenny Muller, Gerry Musgrave, Floretta Nell, Katherine Nugent, Donna Owens, Lee Paxton, Gene Pendergast, Shaun Pendergast, Pat Ponzo, Steven Richardson, Sharon Rieter, Carol Robertson, Richard Robinson, Joan Rothwell, Fred Riddles, Jimmie Lee Scott, Eddie Sellers, Chereen Smith, Joyce Stephens, George Tattersson, Jim Trowe, Robert Thomas, William

Turner, Ray Vinall, Frank Wall, Priscilla Watkins, Janice Watson, Sandra Whaley, Jessie Winkle, Richard Wischkaemper, and Carolyn Woodward.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
March 16, 1953

#### REPORT OF SECRETARY

*Hon. Harold J. Powers*  
*President Pro Tempore*

DEAR SENATOR POWERS: Up to and including yesterday, Sunday, March 15, we have used 33 calendar days which, under the constitutional limitation of 120 calendar days, leaves us 87 days, including Saturdays and Sundays. If we omit Saturdays and Sundays from now to June 10, we have 63 days remaining.

Thus far this session, we have passed and sent to the Assembly 148 Senate measures and the Assembly has passed and sent to us 501 measures.

Assuming that we will pass the same number of measures this session as we did in 1951, and taking into account the fact that we have finally disposed of 97 this session, we have 2,029 yet to act upon, which means that we will have to dispose of 32 measures per day from today to and including June 10.

Very truly yours,

J. A. BEEK, Secretary of the Senate

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1226

Senate Bill No. 1437

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 244

Senate Bill No. 293

Senate Bill No. 480

Senate Bill No. 482

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 34

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1462

Assembly Bill No. 1463

Assembly Bill No. 1467

Assembly Bill No. 2990

Assembly Bill No. 2991

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 27

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 1462**—An act to amend Sections 1143 and 1144 of the Probate Code, relating to estates of deceased persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 1463**—An act to add Section 1147.5 to the Probate Code and to add Section 1449 to the Code of Civil Procedure, relating to estates of deceased persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 1467**—An act to add Article 15, comprising Section 1578, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to unclaimed or abandoned property.

Referred to Committee on Judiciary.

**Assembly Bill No. 2990**—An act to amend Section 1057 of the Code of Civil Procedure, relating to obligees on bonds and undertakings executed by personal sureties.

Referred to Committee on Judiciary.

**Assembly Bill No. 2991**—An act to amend Section 2469.1 of the Civil Code, relating to cessation of business conducted under a fictitious name.

Referred to Committee on Judiciary.

**Assembly Concurrent Resolution No. 27**—Relative to the passing of Lawrence M. Giannini.

Referred to Committee on Rules.

**Request for Unanimous Consent**

Senator Parkman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 27, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 27**

**Assembly Concurrent Resolution No. 27**—Relative to the passing of Lawrence M. Giannini.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

Resolution ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 71	Assembly Bill No. 1083
Assembly Bill No. 306	Assembly Bill No. 1085
Assembly Bill No. 307	Assembly Bill No. 1088
Assembly Bill No. 512	Assembly Bill No. 1089
Assembly Bill No. 534	Assembly Bill No. 1090
Assembly Bill No. 539	Assembly Bill No. 1092
Assembly Bill No. 545	Assembly Bill No. 1097
Assembly Bill No. 573	Assembly Bill No. 1104
Assembly Bill No. 574	Assembly Bill No. 1105
Assembly Bill No. 575	Assembly Bill No. 1112
Assembly Bill No. 585	Assembly Bill No. 1113
Assembly Bill No. 848	Assembly Bill No. 1458
Assembly Bill No. 904	Assembly Bill No. 1459
Assembly Bill No. 1066	Assembly Bill No. 1460
Assembly Bill No. 1067	Assembly Bill No. 1461
Assembly Bill No. 1068	Assembly Bill No. 1465
Assembly Bill No. 1069	Assembly Bill No. 1466
Assembly Bill No. 1076	Assembly Bill No. 1468
Assembly Bill No. 1077	Assembly Bill No. 1470
Assembly Bill No. 1078	Assembly Bill No. 1876
Assembly Bill No. 1079	Assembly Bill No. 1877

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1878	Assembly Bill No. 1980
Assembly Bill No. 1879	Assembly Bill No. 1981
Assembly Bill No. 1923	Assembly Bill No. 1984
Assembly Bill No. 1962	Assembly Bill No. 1987
Assembly Bill No. 1963	Assembly Bill No. 1992
Assembly Bill No. 1968	Assembly Bill No. 1993
Assembly Bill No. 1969	Assembly Bill No. 1994
Assembly Bill No. 1970	Assembly Bill No. 1998
Assembly Bill No. 1971	Assembly Bill No. 2006
Assembly Bill No. 1972	Assembly Bill No. 2712
Assembly Bill No. 1974	Assembly Bill No. 2826
Assembly Bill No. 1975	Assembly Bill No. 2988
Assembly Bill No. 1976	Assembly Bill No. 3418

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 71**—An act to amend Section 6546 of the Business and Professions Code, relating to the qualifications of an apprentice barber.

Referred to Committee on Business and Professions.

**Assembly Bill No. 306**—An act to amend Section 123 of the Agricultural Code, relating to nursery stock manifests.

Referred to Committee on Agriculture.

**Assembly Bill No. 307**—An act to amend Section 122 of the Agricultural Code, relating to nursery stock certificates.

Referred to Committee on Agriculture.



**Assembly Bill No. 512**—An act to amend Section 628 of the Agricultural Code, relating to sterilized milk and sterilized cream.

Referred to Committee on Agriculture.

**Assembly Bill No. 534**—An act to amend Section 5183 of the Welfare and Institutions Code, relating to the deposit of funds coming into the custody of the public guardian.

Referred to Committee on Judiciary.

**Assembly Bill No. 539**—An act to amend Section 1204 of the Fish and Game Code, relating to migratory waterfowl.

Referred to Committee on Fish and Game.

**Assembly Bill No. 545**—An act to add Section 639.5 to the Agricultural Code, relating to standards and labeling for eggnog.

Referred to Committee on Agriculture.

**Assembly Bill No. 573**—An act to add Section 690.5 to the Code of Civil Procedure, relating to property exempt from execution or attachment.

Referred to Committee on Judiciary.

**Assembly Bill No. 574**—An act to amend Section 1861 of the Civil Code, relating to liens of keepers of hotels, inns, boarding-houses and lodging-houses.

Referred to Committee on Judiciary.

**Assembly Bill No. 575**—An act to amend Section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses, furnished apartments, furnished cottages, or furnished bungalow courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 585**—An act to amend Section 88 of the Fish and Game Code, relating to Fish and Game District 19A.

Referred to Committee on Fish and Game.

**Assembly Bill No. 848**—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 904**—An act to amend Section 1065 of the Fish and Game Code, relating to sardines, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1066**—An act to amend Section 180 of the Elections Code, relating to registration of electors.

Referred to Committee on Elections.

**Assembly Bill No. 1067**—An act to amend Section 220 of the Elections Code, relating to registration of electors.

Referred to Committee on Elections.

**Assembly Bill No. 1068**—An act to amend Section 501 of the Elections Code, relating to election precincts.

Referred to Committee on Elections.

**Assembly Bill No. 1069**—An act to amend Section 503 of the Elections Code, relating to election precincts.

Referred to Committee on Elections.

**Assembly Bill No. 1076**—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections.

**Assembly Bill No. 1077**—An act to amend Section 3829 of the Elections Code, relating to ballot forms.

Referred to Committee on Elections.

**Assembly Bill No. 1078**—An act to amend Section 3924 of the Elections Code, relating to ballot forms.

Referred to Committee on Elections.

**Assembly Bill No. 1079**—An act to amend Section 3944 of the Elections Code, relating to ballot forms.

Referred to Committee on Elections.

**Assembly Bill No. 1083**—An act to amend Section 5503 of the Elections Code, relating to election procedure.

Referred to Committee on Elections.

**Assembly Bill No. 1085**—An act to amend Section 5553 of the Elections Code, relating to election procedure at the polls.

Referred to Committee on Elections.

**Assembly Bill No. 1088**—An act to amend Section 5703 of the Elections Code, relating to casting of ballots.

Referred to Committee on Elections.

**Assembly Bill No. 1089**—An act to amend Section 5709 of the Elections Code, relating to the casting of ballots.

Referred to Committee on Elections.

**Assembly Bill No. 1090**—An act to repeal Section 5726 of the Elections Code, relating to cancellation of ballots.

Referred to Committee on Elections.

**Assembly Bill No. 1092**—An act to amend Section 5809 of the Elections Code, relating to election ballots.

Referred to Committee on Elections.

**Assembly Bill No. 1097**—An act to amend Section 7023 of the Elections Code, relating to the posting of election results.

Referred to Committee on Elections.

**Assembly Bill No. 1104**—An act to amend Section 7924 of the Elections Code, relating to canvass of returns.

Referred to Committee on Elections.

**Assembly Bill No. 1105**—An act to amend Section 9757 of the Elections Code, relating to signatures on nomination papers.

Referred to Committee on Elections.

**Assembly Bill No. 1112**—An act to amend Section 4536 of the Elections Code, relating to campaign statements.

Referred to Committee on Elections.

**Assembly Bill No. 1113**—An act to add Section 7707.5 to the Elections Code, relating to election procedure.

Referred to Committee on Elections.

**Assembly Bill No. 1458**—An act to add Section 1321 to Article 1 of Chapter 2 of Title 10 of Part 3, and to repeal Section 1477, of the Code of Civil Procedure.

Referred to Committee on Judiciary.

**Assembly Bill No. 1459**—An act to amend Sections 1441, 1446, 1447, 1448, 1550, 1555, and 1560 of the Code of Civil Procedure, relating to unclaimed property.

Referred to Committee on Judiciary.

**Assembly Bill No. 1460**—An act to amend Section 1313 of, and to add Sections 1313.1 and 1356 to, the Code of Civil Procedure, relating to unclaimed property.

Referred to Committee on Judiciary.

**Assembly Bill No. 1461**—An act to amend Section 1570 of the Code of Civil Procedure; to amend Section 5010, and to repeal Section 5011, of the Corporations Code, relating to unclaimed money or other property in dissolved corporations.

Referred to Committee on Judiciary.

**Assembly Bill No. 1465**—An act to amend Section 1153 of the Probate Code, relating to reports by public administrators.

Referred to Committee on Judiciary.

**Assembly Bill No. 1466**—An act to amend Section 1575 of the Code of Civil Procedure and Section 1056.5 of the Insurance Code, relating to the disposition of unclaimed moneys in connection with the dissolution or liquidation of insurance companies.

Referred to Committee on Judiciary.

**Assembly Bill No. 1468**—An act to amend Section 738 and to repeal Section 739 of the Probate Code and to amend Section 1443 of the Code of Civil Procedure, relating to estates of deceased persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 1470**—An act to add Section 1382 to the Code of Civil Procedure, relating to the sale by the State Controller of real property distributed or escheated to the State of California.

Referred to Committee on Judiciary.

**Assembly Bill No. 1876**—An act to codify Chapter 296 of the Statutes of 1939, Chapter 1173 of the Statutes of 1951 and the Wildlife Conservation Act of 1947, by repealing said chapters and act and adding Division 6 to the Fish and Game Code, relating to wild life conservation, propagation, management and utilization and recreational facilities connected therewith.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1877**—An act to repeal Division 6 of the Fish and Game Code, relating to repeals effected by said code.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1878**—An act to codify Chapter 76 of the Statutes of 1933 by repealing said chapter and adding Chapter 1.5 to Part 3 of Division 4 of the Fish and Game Code, relating to the importation and transportation of wild birds and animals.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1879**—An act to codify Chapters 357 and 363 of the Statutes of 1951 by repealing said chapters and adding Articles 4 and 5 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal hunting and fishing licenses and privileges.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1923**—An act to codify Chapter 815 of the Statutes of 1933 by repealing said chapter and adding Part 3 to Division 3, Title 1, of the Corporations Code, relating to cooperative associations for the handling, marketing, and distribution of fish and fishery products.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1962**—An act to amend Section 8200 of the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

**Assembly Bill No. 1963**—An act to amend Section 4205 of the Government Code, relating to bonds of contractors doing work for the State or political subdivisions or agencies thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 1968**—An act to amend Sections 1550, 1555, and 1560 of the Code of Civil Procedure, relating to unclaimed property.

Referred to Committee on Judiciary.

**Assembly Bill No. 1969**—An act to amend Section 3440.1 of the Civil Code, relating to transfers of particular personal property.

Referred to Committee on Judiciary.

**Assembly Bill No. 1970**—An act to repeal Section 3265g of the Civil Code, relating to stopping payment of checks.

Referred to Committee on Judiciary.

**Assembly Bill No. 1971**—An act to amend Sections 2080.1, 2080.2, 2080.3 and 2080.4 of the Civil Code, relating to lost property.

Referred to Committee on Judiciary.



**Assembly Bill No. 1972**—An act to amend Section 1183.5 of the Civil Code, relating to the acknowledgment of instruments, and the performance of other notarial acts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1974**—An act to amend Section 43 of the Civil Code, relating to general personal rights.

Referred to Committee on Judiciary.

**Assembly Bill No. 1975**—An act to amend Section 7686 of the Business and Professions Code, relating to administrative procedure of the State Board of Funeral Directors and Embalmers.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1976**—An act to amend Section 6945 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1980**—An act to amend Sections 843.1 and 1106.3 of the Agricultural Code, relating to places where arrested persons appear before a magistrate.

Referred to Committee on Judiciary.

**Assembly Bill No. 1981**—An act to amend Sections 154.3, 785, 919, 1013, 1044.5, and 1106.2 of the Agricultural Code, relating to the jurisdiction of municipal and justice courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1984**—An act to amend Section 8000 of the Labor Code, relating to the construction of said code.

Referred to Committee on Judiciary.

**Assembly Bill No. 1987**—An act to repeal Section 1944.1 of the Labor Code, relating to the employment of certain aliens.

Referred to Committee on Labor.

**Assembly Bill No. 1992**—An act to amend Section 32100.5 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1993**—An act to amend Section 32002 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1994**—An act to amend Section 14689 of the Health and Safety Code, relating to prosecutions in fire protection districts of one or more counties.

Referred to Committee on Judiciary.

**Assembly Bill No. 1998**—An act to amend Section 209 of the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2006**—An act to amend and renumber Section 11009 of the Government Code as added by Chapter 101 of the Statutes of 1945, relating to the investment of funds by state agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2712**—An act to repeal Section 6695 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2826**—An act to amend and renumber Section 2224 of the Welfare and Institutions Code to be Section 2181.02 thereof, relating to aid to the aged in respect to determination of relatives' responsibility to contribute to the support of, and to make reimbursement for, aid granted to applicants and recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2988**—An act to amend Section 8213 of the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

**Assembly Bill No. 3418**—An act to amend Sections 3 and 5 of Chapter 14 of the 1952 Second Extraordinary Session, relating to the emergency use of prison labor in earthquake areas, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 546

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 546**—An act to amend Section 674.5 of the Agricultural Code, relating to standards and labeling requirements for milk or milk products containing added product not derived from milk.

Referred to Committee on Agriculture.

Chief Assistant Secretary Cleve V. Taylor at the Desk

#### MOTION TO APPROVE JOURNALS

Senator Hatfield moved that the Senate Journals for Monday, March 9, 1953; Tuesday, March 10, 1953; Wednesday, March 11, 1953; Thursday, March 12, 1953; and Friday, March 13, 1953; be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 445**

Senator McBride moved that Assembly Bill No. 445 be withdrawn from Committee on Financial Institutions, and re-referred to Committee on Revenue and Taxation.

Motion carried.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Donnelly moved that Senate Bill No. 888 be taken from the inactive file and placed on the second reading file.

Motion carried.

**MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

BURDETTE DANIELS, a resident of La Canada; attorney at law; Member of the Board of Corrections since January 24, 1951;

to the Board of Corrections, vice self, term expired, for the term prescribed by law, ending March 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

H. EUGENE BREITENBACH, a resident of Los Angeles; attorney at law; Member of the Youth Authority since June 12, 1952;

to the Youth Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

ERVIS W. LESTER, a resident of Los Angeles; Member of the Adult Authority since April 23, 1945;

to the Adult Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 13, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

CLINTON T. DUFFY, a resident of San Rafael; Member of the Adult Authority since September 18, 1951;

to the Adult Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 10, 1953

*To the Senate of the State of California:*

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

RUDOLPH HENRY, a resident of Los Angeles; a Member of the State Board of Cleaners since September 25, 1945;

to the State Board of Cleaners (representing retail shop owners), vice self, for the term prescribed by law, ending January 15, 1957.

ROY E. FORD, a resident of Sacramento; retired Sacramento business executive;

to the State Board of Cleaners (representing the public), vice John T. French, term expired, for the term prescribed by law, ending January 15, 1954.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 12, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated February 24, 1953, appointing

WELDON L. OXLEY, to the Fish and Game Commission, vice self, for the term prescribed by law ending January 15, 1959;

Has had the same under consideration and respectfully reports the same back and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

## CONSIDERATION OF APPOINTMENT BY GOVERNOR

### Motion to Confirm Appointment by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Weldon L. Oxley of Redding as a member of the Fish and Game Commission.

The President put the question. "Will the Senate confirm and consent to the appointment of Weldon L. Oxley?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

### Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Weldon L. Oxley as a member of the Fish and Game Commission.



**RESOLUTIONS**

The following resolution was offered:

By Senators Grunsky, Berry, Erhart, Montgomery, and Murdy:

**Senate Resolution No. 85**

Relative Commendation to Motion Picture Producers Association

WHEREAS, On March 10, 1953, the Junior Senators gave a dinner party at the Del Paso Country Club for the Senior Senators; and

WHEREAS, Through the courtesy of the Association of Motion Picture Producers, a number of talented Hollywood personalities presented a gala show after the dinner; and

WHEREAS, Lita Baron, Carol Richards, Rory Calhoun, Byron Palmer, and Malcolm Beelby provided this splendid entertainment for the Members of the Senate; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Senate of the State of California express its thanks to these entertainers who gave so generously of their time and talents on this occasion; and be it further

*Resolved*, That the Secretary of the Senate be, and he is hereby requested to forward suitably prepared copies of this resolution to Lita Baron, Carol Richards, Rory Calhoun, Byron Palmer, Malcolm Beelby and the Association of Motion Picture Producers.

Resolution read, and unanimously adopted on motion of Senator Grunsky.

**Senator Ward Presiding**

At 2:29 p.m., Senator Clarence C. Ward of the Thirty-first District, presiding.

**Call of the Senate**

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 2:30 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**  
**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 524

Senate Bill No. 1080

Senate Bill No. 624

Senate Bill No. 1533

Senate Bill No. 814

Senate Bill No. 1633

Senate Bill No. 900

Senate Concurrent Resolution No. 31

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 519

Senate Joint Resolution No. 22

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 85

Senate Bill No. 257

Senate Bill No. 148

Senate Bill No. 1876

Senate Bill No. 256

Senate Concurrent Resolution No. 15

And reports the same correctly engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 37**—Relative to augmenting funds of the Joint Committee on Agriculture and Livestock Problems;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of March, 1953, at 11.30 a.m.

POWERS, Chairman

## Committee on Water Resources

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 497

Senate Bill No. 1648

Senate Bill No. 1068

Senate Bill No. 1649

Senate Bill No. 1531

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

**Senate Resolution No. 86**

Relative to congratulating and commending the Los Angeles City Board of Education, the Honorable Ruth C. Cole, Edith K. Stafford and Hugh C. Willett

*Resolved by the Senate of the State of California, As follows:*

WHEREAS, There has been a continuing effort on the part of alien minded individuals and groups to insinuate foreign and treasonable doctrines into the minds of students in the public schools of this State in spite of the fine Americanism of the overwhelming majority of California educators; and

WHEREAS, The Los Angeles City Board of Education, through the courageous and vigorous efforts of Board Members Mrs. Ruth C. Cole, Mrs. Edith K. Stafford and Hugh C. Willett, has recently gone on record against the insidious, treasonable and subversive propaganda efforts of those who would turn the minds of American youth against the United States and its splendid tradition; and

WHEREAS, The Los Angeles City Board of Education by resolution duly adopted in January, 1953 declared that the board

"Unequivocally believes that no materials, methods, or techniques of teaching should be used in these Los Angeles School Districts which shall advocate, or teach with the intent to indoctrinate any pupils with, or inculcate a preference in the mind of any pupil for, any governmental, social, economic, or cultural systems, international agencies of cooperation, ideologies or philosophies which are at variance with or opposed to, the governmental, social, economic, and cultural system of the United States of America"; and

WHEREAS, All American patriots hail and applaud the Los Angeles City Board of Education for its prompt and effective action in forbidding the use of subversive materials, methods, and techniques of training in the schools of our Republic; therefore be it

*Resolved*, By the Senate of the State of California that the Los Angeles City Board of Education, and, particularly, Board Members Mrs. Ruth C. Cole, Mrs. Edith K. Stafford and Hugh C. Willett, be and are hereby congratulated and commended, and be it further

*Resolved*, That the Secretary of the Senate prepare suitably engrossed copies of this resolution for the Los Angeles City Board of Education, the Honorable Mrs. Ruth C. Cole, the Honorable Mrs. Edith K. Stafford and the Honorable Hugh C. Willett.

Resolution read, and unanimously adopted on motion of Senator Tenney.

## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hatfield announced that he was advised by the Legislative Counsel that Senate Bills No. 814 and No. 1080 carry an appropriation.

The President ordered Senate Bills No. 814 and No. 1080 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
MOTION TO RECONSIDER**

**Senate Bill No. 305**—An act to repeal Section 1580 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of transportation of certain needy children.

**Postponement of Reconsideration**

On motion of Senator Thompson, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 305 was refused passage, was continued until the next legislative day.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 194**—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

**Motion to Refer Bill to Inactive File**

Senator Coombs moved that Senate Bill No. 194 be placed on the inactive file.

Motion carried.

**Senate Joint Resolution No. 22**—Relative to flood control works on Butte and Little Chico Creeks.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 751**—An act to add Section 22654 to the Water Code, relating to powers and purposes of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 563**—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

**Motion to Rescind**

Senator McCarthy moved that the Senate rescind its action whereby Senate Bill No. 563 was this day passed.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

**Request for Unanimous Consent**

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Bill No. 563, at this time, for final passage.

**CONSIDERATION OF SENATE BILL NO. 563**

**Senate Bill No. 563**—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1718**—An act to amend Section 28133 of the Government Code, relating to the salaries of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1941**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

**Motion to Refer Bill to Inactive File**

Senator Montgomery moved that Senate Bill No. 1941 be placed on the inactive file.

Motion carried.



**Senate Bill No. 519**—An act authorizing the dissolution of the Islais Creek Reclamation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 571**—An act to amend Section 28114 of the Government Code, relating to the compensation of the county officials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, and Williams—28.

**NOES**—None.

#### Motion to Amend Title

Senator Dilworth moved the adoption of the following amendment to the title of Senate Bill No. 571:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "of the county officials", and insert "for public service".

Amendment read, and adopted.

Senate Bill No. 571 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1165**—An act to amend Section 430 of the Education Code, relating to the compensation of the county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Kraft, McBride, McCarthy, Montgomery, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Secretary J. A. Beek at the Desk

**Senate Bill No. 1270**—An act to repeal Chapter 1109 of the Statutes of 1939, relating to transportation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1485**—An act to repeal Chapter 6 of Division 2 of the Public Resources Code, relating to placer mining districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1486**—An act to repeal Chapter 1, of Part 1, of Division 8 of the Harbors and Navigation Code, relating to municipal port districts.

Bill read third time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Chapter 1, of".

**Amendment No. 2**

In line 1 of said bill, strike out "Chapter 1 of".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1164**—An act to amend Sections 34600, 34605, 34606, and 34608 of the Government Code, relating to the government of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Montgomery, O'Gara, Parkman, Tenney, Ward, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 12**—An act to amend Section 28118 of the Government Code, relating to the compensation of county officials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 14**—An act to amend Section 418 of the Education Code, relating to the compensation of county superintendent of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 576**—An act to amend Section 6509 of, and to add Section 6595 to, the Business and Professions Code, relating to the regulation of barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 94**—An act to add Section 16330 to the Business and Professions Code, relating to the licensing of itinerant merchants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 237**—An act to add Chapter 9, comprising Sections 6200 to 6208, inclusive, to Title 7 of Part 3 of the Penal Code, relating to the establishment of the California Correctional Facility under the jurisdiction of the Department of Corrections, prescribing its purpose, and relating to the commitment and transfer of persons thereto and therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 240**—An act to amend Section 2700 of the Penal Code, relating to the compensation of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 241**—An act to amend Section 2690 of the Penal Code, relating to the temporary removal of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 560**—An act to amend Section 66k of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Mariu, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, and Weybret—27.

NOES—Senator Desmond—1.

#### Motion to Reconsider

Senator Desmond moved to reconsider the vote whereby Senate Bill No. 560 was passed.

#### Postponement of Reconsideration

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 560 was passed, was continued until the next legislative day.

**Senate Bill No. 185**—An act to amend Section 13926 of the Government Code, relating to awards for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 238**—An act to amend Section 5093 of the Penal Code, relating to the maximum gross annual production of enterprises subject to the jurisdiction of the Correctional Industries Commission.

\* Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—29.

NOES—Senator Desmond—1.

Bill ordered transmitted to the Assembly.



Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 307**—An act to amend Sections 1711 and 1712 of, and to add Sections 1711.5 and 1720 to, and to repeal Section 1720 of, the Welfare and Institutions Code, relating to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1778**—An act to add Section 3302.3 to the Welfare and Institutions Code, relating to insuring materials and products of the California Industries for the Blind against damage or destruction by fire or water.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 624**—An act to provide for the transfer of certain documents to the State Lands Commission with respect to sales of tidelands in San Francisco Bay pursuant to Chapter 543 of the Statutes of 1867-68.

Bill read third time.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 900**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54348, 54349, 54384, 54420, 54421, 54422, 54423, 54424, 54426, 54427, 54431, 54432, 54434, 54467, 54478, 54513, 54514, 54515, 54516, 54519, 54522, 54524, and 54552 of, adding Sections 54301.1, 54346.3, 54516.1, and 54615 to, and repealing Section 54343 of, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the authorization, issue and sale of revenue bonds by local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Ward, Way, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1533**—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, Chapter 330 of the Statutes of 1935, and to amend Sections 24073 and 24074 of the Business and Professions Code, relating to the transfer of retail licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Ward, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1633**—An act to add Sections 7.5 and 7.6 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 9, 1953, strike out "and 7.6", and insert ", 7.6 and 7.7".

**Amendment No. 2**

On page 1, line 25, of said bill, after "(5)", insert "or subsection (6)".

**Amendment No. 3**

On page 2 of said bill, between lines 12 and 13, insert

"SEC. 3. Section 7.7 is added to said code, to read:

7.7. The provisions of Sections 7.5 and 7.6 do not affect or modify in any manner the provisions of Section 7."

**Amendment No. 4**

On page 2, line 13, of said bill, strike out "SEC. 3", and insert

"SEC. 4."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 232**—An act to amend Section 5003 of the Penal Code, relating to the correctional system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 85**—An act to amend Section 1394.5 of the Labor Code, relating to entertainment by minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 257**—An act to amend Section 4861 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 524**—An act to add Section 2103.1 to the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 15**—Relative to amending the Joint Rules of the Senate and Assembly for the 1953 Regular Session of the California Legislature, by adding Rule 41 thereto, relating to industrial injury reports.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1161**—An act to amend Section 17091 of the Government Code, relating to duplicate state warrants.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1165**—An act to add Section 12478 to the Government Code, relating to duplicate state pay roll warrants.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1167**—An act to repeal Article 2 of Chapter 1, Part 4, Division 4, Title 2, comprising Sections 17030 to 17034, inclusive, of the Government Code, relating to disbursing officers' warrants.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 709**—An act to amend Sections 16430 and 16431 of the Education Code, relating to supervision and control of school safety patrols.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 5.14 p.m., on motion of Senator Hatfield, further proceedings under the call of the Senate were dispensed with.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 6

Senator Dorsey moved that Senate Bill No. 6 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 6**—An act to amend Section 260 of the Code of Civil Procedure, relating to court commissioners.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after "of", insert "between six thousand dollars (\$6,000) and".

**Amendment No. 2**

On page 1, line 13, of said bill, after "commissioner", insert ", and in the case of a commissioner, grade 1, his salary, and may increase such salary from time to time within the limits authorized by this section".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 27**

Senator O'Gara moved that Senate Bill No. 27 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 27**—An act to repeal Section 533 of the Public Utilities Code, relating to the right of the commissioners, officers and employees of the Public Utilities Commission of the State of California, when in the performance of their official duties, to pass free of charge on all common carriers and providing for the continuation of the authority now possessed by members, officers, employees, servants and agents of said commission to go upon the property of any public utility and to ride upon any car, engine, vessel, vehicle, equipment, instrumentality or facility of such public utility, without charge or the presenting of a ticket or pass, when in the performance of their official duties in connection with the regulation of such public utility and ratifying and confirming such authority.

Bill read second time.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

**Amendment No. 2**

In lines 12 and 13 of the title of said bill, strike out "and ratifying and confirming such authority".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 533 of the Public Utilities Code is amended to read:

533. The commissioners [and the officers and employees of the commission,] shall, when in the performance of their official duties, have the right to pass, free of charge, on all railroads, cars, vessels, and other vehicles of every common carrier subject to

control or regulation by the commission, between points within this State, whether such railroad, car, vessel, or other vehicle is used for the transportation of passengers or freight, and regardless of its class. *The members, officers, employees, servants and agents of the commission shall have the right to go upon the property of any public utility, and shall have the right to ride upon any car, engine, vessel, vehicle, equipment, instrumentality or facility of such public utility, without charge or the presenting of a ticket or pass, when in the performance of their official duties in connection with the regulation of such public utility.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 319

Senator Thompson moved that Senate Bill No. 319 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 319**—An act to add Section 12264 to the Government Code, relating to the photographic reproduction of public records.

Bill read second time.

##### Motion to Amend

Senator Kraft moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 12264", and insert "Sections 12264 and 69844.5".

##### Amendment No. 2

On page 1 of said bill, after line 18, insert

"SEC. 2. Section 69844.5 is added to said code, to read:

69844.5. The clerk of the superior court may, in lieu of minute books, judgment books and orders and decrees, photograph, microphotograph or photocopy all superior court minutes, judgments, orders and decrees.

Such photograph, microphotograph or photocopy shall be made in such manner and on such paper as will comply with the minimum standards of quality approved therefor by the National Bureau of Standards.

Every such reproduction shall be deemed and considered an original; and a transcript, exemplification, or certified copy of any such reproduction shall be deemed and considered a transcript, exemplification, or certified copy, as the case may be, of the original.

All such photographs, microphotographs and photocopies shall be properly indexed and placed in convenient, accessible files. Each roll of microfilm shall be deemed and constitute a book, and shall be designated and numbered, and provision shall be made for preserving, examining, and using it.

A duplicate of each roll of microfilm shall be made and kept in a safe and separate place."

Amendments read and adopted.

Bill ordered printed and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1438

Senator Kraft moved that Senate Bill No. 1438 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1438**—An act to amend Sections 29001 and 29022 and to repeal Section 29015.1 of the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out "and 29022 and to repeal Section 29015.1", and insert ", 29013, 29014, 29015.1 and 29022".

**Amendment No. 2**

On page 1, lines 6 and 7, of said bill, strike out "so prepared as to be unfit for human consumption or treatment".

**Amendment No. 3**

On page 2, lines 8 and 9, of said bill, strike out "Hypnotic drugs when combined and compounded with nonhypnotic drugs.", and insert "Any drug which bears the legend: Caution: Federal law prohibits dispensing without prescription."

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 4**

On page 2 of said bill, after line 9, insert

"SEC. 2. Section 29013 of said code is amended to read:

29013. The board shall supply a book at cost of serially numbered triplicate hypnotic drugs purchase order forms to *physicians, dentists, chiropodists, and veterinarians licensed to practice in this State* and to each person licensed under the provisions of Section 29012.

SEC. 3. Section 29014 of said code is amended to read:

29014. *Physicians, dentists, chiropodists, veterinarians, and* [L] licensees shall execute hypnotic drugs purchase order forms in triplicate, showing date, name of supplier, name and quantity of hypnotics ordered and signature, license number and address of licensee. The original and duplicate orders shall be forwarded to the supplier, who shall forward the duplicate order to the [Board of Pharmacy] *respective licensing board* within 30 days after receipt thereof, and the triplicate of the order kept on the file of the purchaser for at least three years. Within a reasonable time after any purchaser except a wholesaler in this State gives any order to, or makes any contract or agreement for purchases from or sales by, any out-of-state person of any hypnotic drug for delivery in this State, the purchaser shall forward the original order to the out-of-state person, forward a duplicate of such order, contract or agreement for such purchase to the board, and retain a triplicate for not less than three years. The provisions of this section do not apply when hypnotic drugs are combined or compounded with medicinal drugs which render such combination or compound unfit for hypnotic use.

SEC. 4. Section 29015.1 of said code is amended to read:

29015.1. *The provisions of* [T] *this division requiring a license* [does] *do not* apply to or interfere with a physician, dentist, chiropodist or veterinarian who administers hypnotic drugs to his own patients. Such hypnotic drugs shall be administered only by the physician, dentist, chiropodist or veterinarian."

**Amendment No. 5**

On page 2, line 10, of said bill, after "Sec." strike out "2", and insert "5".

**Amendment No. 6**

On page 2, line 18, of said bill, strike out "at the time of filling the prescription or by" and strike lines 19, 20, and 21, and insert "orally or at the time of giving the original prescription."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 719**

Senator Hoffman moved that Senate Bill No. 719 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 719**—An act to amend Section 828.25 of the Agricultural Code, relating to fruit and vegetable standardization.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "828.25 of", and insert "821.15 of, and to add Section 823.5 to,".

**Amendment No. 2**

On page 1, of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 821.15 of the Agricultural Code is amended to read:

821.15. Apples of a standard grade or combination of such grades shall be well packed, place packed, *placed in layers between trays or pads*, "face and fill packed," loose in containers, or in bulk. Grade terms used to designate apples which are place packed shall not be followed by the term "loose."

SEC. 2. Section 823.5 is added to said code to read:

823.5. Notwithstanding the provisions of Section 823, apples when placed in layers between not less than four nor more than six trays or pads may be in the special fibreboard apple box, depth inside  $11\frac{3}{4}$ " ; width inside  $12\frac{3}{4}$ " ; length inside  $19\frac{3}{4}$ " , with a tolerance of  $\frac{1}{4}$ " in all dimensions. The special fibreboard apple box may be constructed with a full depth collar or liner if the inside measurements affected by such collar conform to the requirements of this section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1798**

Senator Thompson moved that Senate Bill No. 1798 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1798**—An act to amend Sections 3, 13, 14, 18, and 27 of the Santa Clara County Flood Control and Water Conservation District Act, relating to the control and conservation of flood and storm waters and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill after "14", insert ", 15, 17".

**Amendment No. 2**

In line 1 of the title of said bill, after "of", insert ", and to add Section 34.5 to,".

**Amendment No. 3**

In line 3 of the title of said bill, strike out "control and conservation of flood", and insert "taxing powers, issuance of bonds, and financing of flood control projects of the Santa Clara County Flood Control and Water Conservation District".



**Amendment No. 4**

In line 4 of the title of said bill, strike out "and storm waters".

**Amendment No. 5**

On page 1, line 11, of said bill, strike out "of", and insert "by annexing property to or by withdrawing property from".

**Amendment No. 6**

On page 1, lines 24 and 25, of said bill, strike out "upon all real property".

**Amendment No. 7**

On page 2, line 1, of said bill, after "expenses", insert ", including maintenance and operation of established works,".

**Amendment No. 8**

On page 2, line 1, of said bill, strike out "and".

**Amendment No. 9**

On page 2, line 3, of said bill, strike out "an improvement", and insert "a".

**Amendment No. 10**

On page 2, line 8, of said bill, strike out "tax", and insert "financial".

**Amendment No. 11**

On page 2, line 9, of said bill, strike out "real".

**Amendment No. 12**

On page 2, line 10, of said bill, after "taxes", insert "or assessments".

**Amendment No. 13**

On page 2, line 10, of said bill, after "levied", insert "pursuant to subdivisions (2) or (3) of this section within the zone or participating zones benefited by such construction".

**Amendment No. 14**

On page 2, line 11, of said bill, strike out "said", and insert "the".

**Amendment No. 15**

On page 2, line 11, of said bill, after "of", insert "said".

**Amendment No. 16**

On page 2, line 11, of said bill, strike out "against all real prop."; strike out line 12, and in line 13 strike out "construction".

**Amendment No. 17**

On page 2, line 13, of said bill, strike out "from the im."; and in line 14, strike out "provement fund.", and insert ". Such taxes or assessments may be levied by either of the following methods:

(a) By a levy or assessment upon all property within the district, including land, improvements thereon, and personal property; or

(b) By a levy or assessment upon all real property within the district, including both land and improvements thereon."

**Amendment No. 18**

On page 2, line 15, of said bill, strike out "all real property".

**Amendment No. 19**

On page 2, line 21, of said bill, after "zones", insert ", by either of the following methods:

(a) By a levy or assessment upon all property within a zone or participating zone, including land, improvements thereon, and personal property; or

(b) By a levy or assessment upon all real property within a zone or participating zones, including both land and improvements thereon.

It is declared that for the purposes of any tax or assessment levied under this subdivision, the property so taxed or assessed within a given zone is equally benefited".

**Amendment No. 20**

On page 2, line 22, of said bill, strike out "taxes or".

**Amendment No. 21**

On page 2, line 22, of said bill, strike out "all real", and insert "any".

**Amendment No. 22**

On page 2, line 23, of said bill, strike out "special benefits derived or", and insert "provisions and procedures of the Improvements Act of 1911, the Improvement Bond Act of 1915, the Municipal Improvement Act of 1913, or the Refunding Assessment Bond Act of 1935."

**Amendment No. 23**

On page 2 of said bill, strike out lines 24 to 29, inclusive.

**Amendment No. 24**

On page 3, line 1, of said bill, after "provision", insert "s".

**Amendment No. 25**

On page 3, line 13, of said bill, strike out "in order".

**Amendment No. 26**

On page 3, line 15, of said bill, after the second "and", insert "the maximum".

**Amendment No. 27**

On page 3, line 30, of said bill, strike out "upon the property situated within"; strike out line 31, and in line 32, strike out "and remain liable to be taxed or assessed for such payments".

**Amendment No. 28**

On page 3, line 46, of said bill, strike out ", and what part or installment of such indebted-"; strike out lines 47 and 48, and in line 49, strike out "amount of the principal and interest of such indebtedness".

**Amendment No. 29**

On page 3, line 50, of said bill, after "the" insert "maximum".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 30**

On page 4 of said bill, strike out lines 40 to 50 inclusive, and insert:

"SEC. 4. Section 15 of said act is amended to read:

Sec. 15. The board shall, subject to the provisions of this act, prescribe by resolution the form of said bonds, which must include a designation of the zone or participating zones affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

*The board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series. The maturity of each series shall comply with this section. The board may fix a date, not more than two years from the date of issuance, for the earliest maturity of each issue or series of bonds. Beginning with the date of the earliest maturity of each issue or series, not less than one-fortieth of the indebtedness of such issue or series shall be paid every year. The final maturity date shall not exceed 40 years from the time of incurring the indebtedness evidenced by each issue or series.*

The bonds shall be issued in such denominations as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars (\$100), nor of a greater denomination than one thousand dollars (\$1,000), and shall be payable on the days and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of five per centum (5%) per annum, and shall be made payable annually or semiannually, and said bonds shall be numbered consecutively and shall be signed by the chairman of the board, and countersigned by the auditor of said district, and the seal of said district shall be affixed thereto by the clerk of the board. *Either or both such signatures may be printed, engraved or lithographed.* The interest coupons of said bonds shall be numbered consecutively and signed by the said auditor by his *printed, engraved or lithographed* signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons, and signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 5. Section 17 of said act is amended to read:

Sec. 17. Any bonds issued under the provisions of this act [shall be a lien upon all property of the zone or zones of issuance, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds] and the interest thereon shall be paid by revenue derived from an annual tax or assessment [upon all property within said zone or participating zones and all property in said zone or participating zones shall be and remain liable to be taxed or assessed for such payments as hereinafter provided.,] *levied as provided in clause (a) or (b) of subdivision 2 of Section 13 of this act.* No zone nor the property therein shall be liable for the share of bonded indebtedness of any other zone, nor shall any moneys derived from taxation or assessment in any of the several zones to be used in payment of principal or interest or otherwise of the share of bonded indebtedness chargeable to any other zone, *except in the case of joint projects by participating zones.*

Said bonds may be deposited and registered with the treasurer of the county, and it shall be an official duty of said treasurer to receive and register said bonds in the name of the holder and to keep a sufficient book of registry thereof setting forth a description of the bonds and the names and addresses of the respective holders, and to give each holder of such bonds so registered a receipt therefor; that said receipts shall be personal to the respective holders and not transferable. That such bonds shall be returned to such holders thereof or in case of death to the duly appointed personal representative of the holder's estate, upon the giving of receipt therefor, with or without return of the receipt given by the treasurer at the time of such deposit and registry. And the treasurer, at the request of such holder, or such personal representative, may detach and deliver to such holder or personal representative, mature coupons from time to time, first taking receipts therefor."

**Amendment No. 31**

On page 5, line 1, of said bill, strike out "4.", and insert "6".

**Amendment No. 32**

On page 5, line 3, of said bill, strike out "upon all real property in the zone or zones of issuance".

**Amendment No. 33**

On page 5, line 16, of said bill, strike out "5.", and insert "7."

**Amendment No. 34**

On page 5, line 18, of said bill, strike out "therein" and, insert "of the district".

**Amendment No. 35**

On page 5 of said bill, between lines 22 and 23, insert

"SEC. 8. Section 34.5 is added to said code, to read:

Sec. 34.5. The provisions and procedures of law available under this act are not subject to "The Special Assessment Investigation, Limitation and Majority Protest Act of 1931."

**Amendment No. 36**

On page 5, line 23, of said bill, strike out "6.", and insert "9."

**Amendment No. 37**

On page 5 of said bill, strike out lines 29 to 34, inclusive, and insert

"The act governing this district as now worded requires a levy on both real and personal property in order to finance projects. However, since no California court decision as yet has authorized a levy on personal property to finance flood control projects, it is impossible to obtain an opinion from bonding attorneys approving bonds of the district financed in part from levies on personal property. Bonds of the district cannot be traded in the open market or advantageously sold unless they are accompanied by such an opinion. In order to make bond funds available as soon as possible to prevent loss and damage to property and county roads, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1369**

Senator Thompson moved that Senate Bill No. 1369 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1369**—An act to amend Sections 2164 and 2165 of the Welfare and Institutions Code, relating to property qualifications for recipients of public assistance.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in Senate March 11, 1953, after the period insert "However, no applicant for or recipient of aid under this chapter shall be disqualified therefor because of his ownership of real property of a value in excess of the amount specified in this section, if such excess value results from a reassessment after January 1, 1950, of property owned and occupied as a home by the applicant or recipient."

**Amendment No. 2**

On page 1, line 9, of said bill, as amended, strike out "However," and strike out all of lines 10 to 13, inclusive.

**Amendment No. 3**

On page 1, line 19, of said bill, as amended, strike out "How-"; and strike out all of lines 20 to 24, inclusive, and insert "However, no married applicant for or recipient of aid under this chapter shall be disqualified therefor because of ownership by the husband and wife of combined real property of a value in excess of the amount specified in this section, if such excess value results from a reassessment after January 1, 1950, of property owned and occupied as a home by the applicant or recipient or by the spouse of the applicant or recipient."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1907**

Senator Desmond moved that Senate Bill No. 1907 be withdrawn from Committee on Water Resources for purpose of amendment. Re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1907**—An act to amend Sections 20003 and 20045 of, and to add Section 20045.1 to, the Water Code, relating to water, including the use of water, the acquisition and regulation of water rights, the control and utilization of water, the distribution of water, the supervision of dams, the use of and rights in streams, wells, pumping plants, and conduits, and the establishment and operation of public districts relating to water, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill as amended in Senate March 11, 1953, and insert "An act to amend Sections 20003, 20045, and 20064 of the Water Code, relating to water, including".

**Amendment No. 2**

In lines 7 to 9, inclusive, of the title of said bill, as amended, strike out " , and declaring the urgency of this act, to take effect immediately".



**Amendment No. 3**

On page 2 of said bill, as amended, strike out lines 47 to 49, inclusive; and on page 3, strike out lines 1 to 21, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**RESOLUTIONS**

The following resolution was offered:

By Senator Hatfield:

**Senate Resolution No. 87**

Relative to speeches of Senator J. Howard Williams, Chairman of the Joint Committee on Water Problems

WHEREAS, Senator J. Howard Williams, as chairman of the Joint Committee on Water Problems, gave an address at a meeting of the California Irrigation Districts Association at Riverside on November 8, 1951.

*Resolved by the Senate of the State of California*, That Senator J. Howard Williams is commended for the excellence of his presentations and for his efforts to effect a solution of our water problems.

Resolution read, and adopted on a motion of Senator Hatfield.

**MOTION TO PRINT SPEECHES OF SENATOR J. HOWARD WILLIAMS**

Senator Hatfield moved that the speeches of Senator J. Howard Williams, referred to in Senate Resolution No. 87, be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 10  
Assembly Bill No. 60  
Assembly Bill No. 107  
Assembly Bill No. 433

Assembly Bill No. 544  
Assembly Bill No. 1961  
Assembly Bill No. 2966

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 10**—An act to amend Section 38 of, and to add Section 38.5 to, the Fish and Game Code, relating to the feeding of game birds, mammals, and fish, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 60**—An act to amend Section 1527 of the Welfare and Institutions Code, relating to hospital and medical care for needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 107**—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

**Assembly Bill No. 433**—An act to add Section 18586.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 544**—An act to add Section 563.5 to the Agricultural Code, relating to standards and definitions for yogurt sherbet.

Referred to Committee on Agriculture.

**Assembly Bill No. 1961**—An act to amend and renumber Article 5 of Chapter 1, Part 1, Division 2, Title 2 of the Government Code as added by Chapter 1238 of the Statutes of 1949, relating to legislative funds and administration.

Referred to Committee on Rules.

**Assembly Bill No. 2966**—An act to amend Section 2733.5 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Business and Professions.

**Assembly Constitutional Amendment No. 10**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 17 of Article I, relating to rights of aliens.

Referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 820

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

SUTTON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1800

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SUTTON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 822  
Senate Bill No. 823  
Senate Bill No. 824

Senate Bill No. 825  
Senate Bill No. 1021  
Assembly Bill No. 1898

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SUTTON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 13, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SUTTON, Chairman

Above reported bill ordered to second reading.

#### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 374  
Senate Bill No. 648  
Senate Bill No. 650

Senate Bill No. 963  
Senate Bill No. 1713

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred: Assembly Bill No. 1330

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred: Senate Bill No. 630

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 522  
Assembly Bill No. 1328  
Assembly Bill No. 1329

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

McBRIDE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 647	Assembly Bill No. 520
Senate Bill No. 649	Assembly Bill No. 521
Senate Bill No. 951	Assembly Bill No. 1340

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1331	Assembly Bill No. 1336
Assembly Bill No. 1332	Assembly Bill No. 1337
Assembly Bill No. 1333	Assembly Bill No. 1338
Assembly Bill No. 1334	Assembly Bill No. 1339

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

McBRIDE, Chairman

Above reported bills ordered to second reading.

## Committee on Judiciary

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 1870  
Assembly Bill No. 1880  
Assembly Bill No. 1889

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 313  
Senate Bill No. 1220

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 393

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 1918	Assembly Bill No. 1921
Assembly Bill No. 1919	Assembly Bill No. 1922

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 186

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Governmental Efficiency.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 242	Assembly Bill No. 1894
Senate Bill No. 243	Assembly Bill No. 1908
Senate Bill No. 284	Assembly Bill No. 1909
Senate Bill No. 1215	Assembly Bill No. 1910
Senate Bill No. 1216	Assembly Bill No. 1911
Senate Bill No. 1219	Assembly Bill No. 1912
Assembly Bill No. 1280	Assembly Bill No. 1913
Assembly Bill No. 1838	Assembly Bill No. 1914
Assembly Bill No. 1839	Assembly Bill No. 1915
Assembly Bill No. 1865	Assembly Bill No. 1916
Assembly Bill No. 1871	Assembly Bill No. 1917

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 819

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

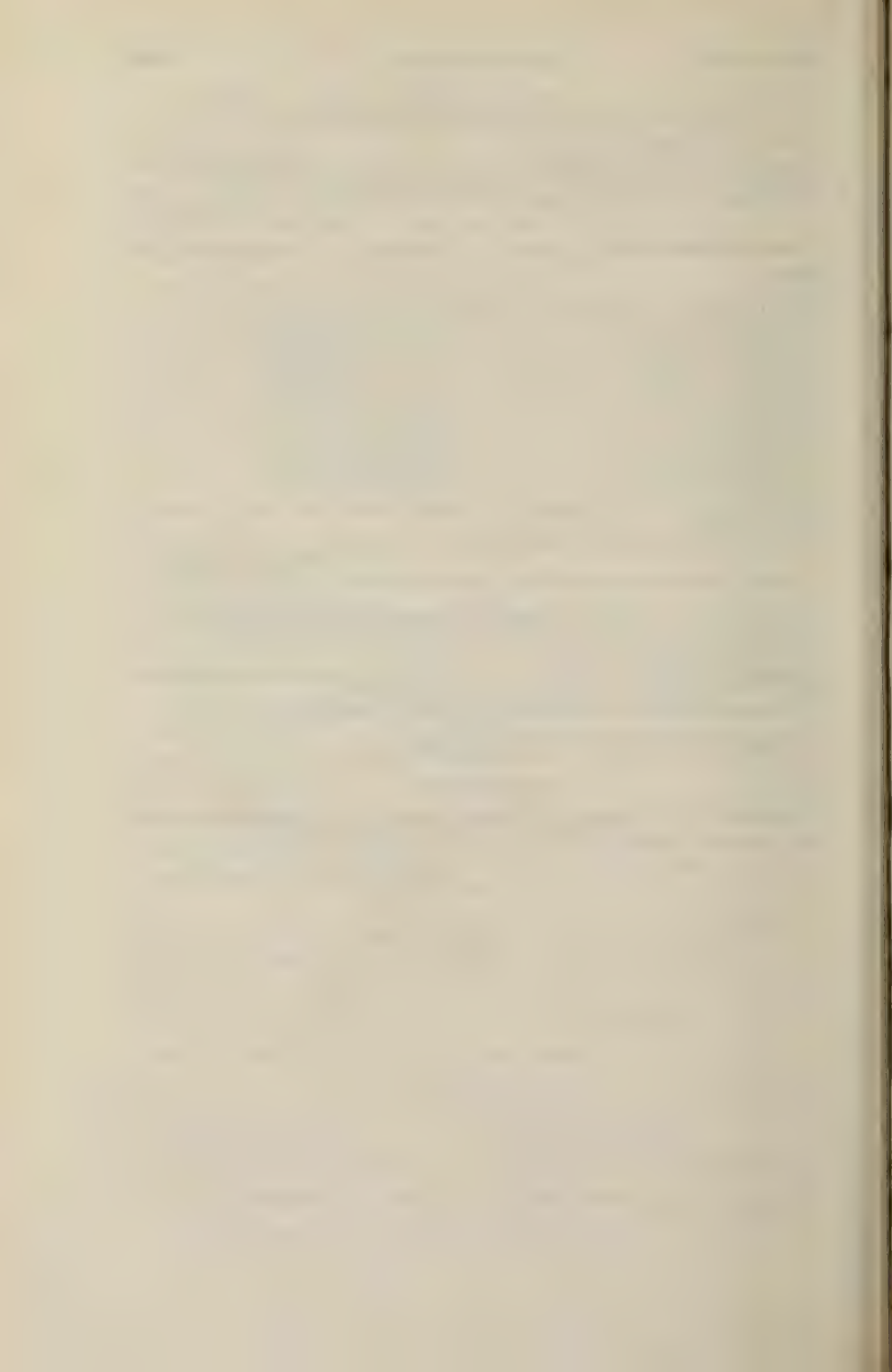
TENNEY, Chairman

Above reported bill ordered to second reading.

#### ADJOURNMENT

At 5.25 p.m., on motion of Senator Hatfield, the President declared the Senate adjourned until 2 p.m., Tuesday, March 17, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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**SENATE DAILY JOURNAL**

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TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-FIFTH CALENDAR DAY

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**IN SENATE**

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SENATE CHAMBER, SACRAMENTO

Tuesday, March 17, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

**ROLL CALL**

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Waybret, and Williams—34.

Quorum present.

**PRAYER**

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

**LEAVES OF ABSENCE FOR THE DAY**

The following Senators were granted leaves of absence for the day:

Senator Murdy, on motion of Senator Hatfield.

Senator Hulse, on motion of Senator Hatfield, due to legislative business.

Senator Miller, on motion of Senator Hatfield, due to legislative business.

Senator Powers, on motion of Senator Hatfield, due to legislative business.

Senator Regan, on motion of Senator Hatfield.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senators Tenney and Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernest Gentry and Chester Reed of San Francisco and Virginia L. Pierce of Sacramento, all of the State Narcotics Committee of the American Legion and Mrs. Virginia P. Smith and Mrs. Margaret Neal of Los Angeles.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. Sprague of San Jose.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sidney Schoenlank, Mrs. Henry P. Polak, Mrs. Herman P. Misrach of San Francisco, all members of National Council of Jewish Women.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Escort Mrs. Virginia Fisher, Teacher Mr. Angelico Casagrande, Principal Mr. J. Wendell Howe, and the following students of the Taft High School: Dick Barnes, David Bristow, Ann Brown, Judy Carlson, Jim Freeze, Maros Hummell, Dick Johnson, Bill Le Flore, Gail McCabe, Gene Morris, Belva Morton, Barbara Peavyhouse, John Ratliff, Charles Simon, Barbara Walker, Judy Webb, and Bill Yeary.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. C. Brooks and Leo G. Athens of Stockton.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator William P. Rich of Marysville.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Oliver Carter of San Francisco, former Senator.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Vernon Whalen, Vice Principal Oscar Lindstrum and the following students of the David D. Bohannon School: Donna Adkins, Carol Armstrong, Donald Barnes, Patricia Bolick, Anita Conley, Sharon DuBato, Richard Ellsworth, LoDema Ferguson, Ronald Genzoli, Thomas Gillett, Joseph Goodrich, Barbara Gunter, Patricia Howard, Edward Lent, Larry Lister, Ronald Luezkow, Dorothy Martin, Jack Miller, Jerry Miller, Marlene Minnick, Frederick Parkhurst, Thomas Rossman, Diane Rowe, Diana Sim, Sheila Stribley, Carolyn Stronge, Barbara Sullivan, Jack Swearingen, Allan Terk, Robert Van Etten, Larry Verville, Isabella Vigil, and Dolores Williams.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Andrew R. Schottky of Mariposa County.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Joseph T. McNett and Dr. Everett Van Maanen, county superintendent's office, and the following students of the Arcade School District Dyer-Kelly School Eighth Grade: Gary Beaver, Madeline Berg, Claude Brown, Bill Campbell, George Carpenter, Sue Chadwick, Shirley Chapman, Frank Chisholm, Donna Clark, Barbara Collins, Rose Cunningham, Tom Erickson, Roberta Freeman, Sharon Freeman, Gwen Grandon, Judy Grant, Dorothy Guider, Zella Hammock, Sandra Hellewell, Eleanor Horman, Paul Huff, Nancy Lingenfelter, Judy Pascoe, Nancy Payne, Bill Pishek, Larry Pratt, Julie Rodgers, Harold Smith, Bill Tredinnick, Wendell Van Maanen, Beverly Vaughan, Ronald Westburg, Tom Whitton, Evelyn Williams, Lynn Wilson, Joelene Zimmerman, and Joanne Zimmerman.



On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers R. Thayer and O. Winje and the following students of the Del Paso Manor Eighth Grade: Wayne Alburn, William Bassett, Robert Beattie, Barbara Bird, Gaylene Boutwell, Donald Casperson, Edmond Cerwinsky, Ross Clark, Roger Craner, Don Davidson, Jerry Drew, David Fairfield, Joe Falloon, Bill Fox, Tad Gantenbein, Bonnie Gatos, Barbara Gonzales, Barbara Hanson, Kay Iliner, Charlene Hood, Marlene Hubbard, Bill Johnson, Shirley Karoly, Matt Kramer, Lana Langley, Walter Larick, Loris Ledford, Charis Marrin, Shirley Matteson, Bill Noble, Carl Pappa, Bob Parker, Judy Ping, Larry Rackham, Colleen Reardon, David Russell, Jack Shankland, Janice Sheaffer, Jeanette Smith, Lorene Spargo, Sherry Steffens, Doris Sutherland, Dorothy Sutherland, Rose Marie Taylor, Earlene Thomas, Joan Waggoner, Berta Walden, Jim Wagoner, Andrea Welch, Wayne Wilcox, Diane Wilensky, and Janet Withers.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Robert Freeman and Donna McCarty and the following students of the Edendale School, eighth grade: Lawnie Bowerman, Norman Burgdorf, Richard Chinn, Kenneth Donnelson, Christian Dutsch, Richard Ellison, Ronald Facer, Robert Fialho, George Flax, William Funk, Thomas Godbier, John Hobbs, James Honsicker, Jerry Kielley, Norman Kleekner, Paul Smith, Gary Wallahan, Don Wright, Bernice Ayala, Darlene Cook, Shirley De Motto, Patricia Ellis, Barbara Jones, Norrene Klock, Patricia Koenig, Lorelei Kohler, Sheila Mitchell, Judith Nicholson, Susan Quiel, Sharlene Quilici, and Marcia Storm.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James M. Quilter, principal, James Glaab, teacher, Mrs. Lao Huck, Mrs. R. L. Fairbanks and the following students of Tracy Senior Elementary School Eighth Grade: Pat Anastasio, Richard Bajada, Gerald Burnette, Fernand Cenicerros, Adele Cooper, Stevie Dal Porto, Ronald Daughtery, Laurel Deni, Peggy Denney, Carol Dodsworth, Janette Duke, Barbara Dynes, Anita Eldridge, Douglas Enos, Mary Ellen Fairbanks, Shirley Farmer, Jerome Frazier, Yvonne Freeburg, Mary Gabbard, Mary Garcia, Nancy Genise, Forrest Gollihar, Bobby Green, Robert Horne, Louis Howerton, Barbara Kesterson, Illana Magas, Gerald Milani, Alex Miller, Joel Pena, Hector Ramirez and Richard Villalovoz.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher, Mrs. Eva Ohmart; secretary, Mrs. Virginia Domecq; and the following Eighth Grade students from Denair Elementary School: Mary Ann Agee, Harriet Bancroft, Esther Bergman, Loretta Burman, Idella Callahan, Mary Clifton, Barbara Deckert, Carol Hake, Mary Harmon, Elizabeth Kintscher, Cheryl Montgomery, Kari Ravnan, Marlene Reiman, Virginia Richart, Mary Skiles, Patsy Smith, Peggy Webb, La Vern Allen, Darold Barnes, Bill Cook, Ross Domecq, Delmas Gay, Robert Goolsby, Donald Loftin, Marvin Moore, Dale Nutter, Larry Pirtle, Larry Reece, Robert Spaulding, and Coy Wooten.

## RESOLUTIONS FROM STATES OF KANSAS AND WISCONSIN

The following resolutions from the State of Kansas and the State of Wisconsin were read, and ordered printed in the Journal:

## STATE OF KANSAS

## SENATE CONCURRENT RESOLUTION No. 2

A CONCURRENT RESOLUTION memorializing the congress of the United States to enact legislation providing for the withdrawal of federal government from the field of gasoline taxes.

WHEREAS, The federal gasoline tax is levied upon the users of American highways; and

WHEREAS, The highway system of this country and the highway systems of the several states are rapidly deteriorating because the funds needed to develop and maintain a modern highway network are not available; and

WHEREAS, The federal government is now distributing to the states only about two-thirds of the revenue which it is deriving from the federal gasoline tax and is diverting the remainder to its other purposes; and

WHEREAS, If the federal government would withdraw from the field of gasoline taxes and the several states would increase the taxes imposed by them on gasoline and motor vehicle fuels in an amount equal to the federal tax on gasoline, a much larger amount of revenue would be available to the several states for the purpose of developing and maintaining a modern system of highways therein; and

WHEREAS, The Eleventh General Assembly of the States which was held in Chicago, Ill., in the month of December, 1952, at which practically all of the states of the United States were represented, went on record as favoring the withdrawal of the federal government from the gasoline tax field; and

WHEREAS, The National Conference of Governors and the Midwestern Regional Conference of the Council of State Governments, of which the state of Kansas is a member, have declared by appropriate resolution that the federal government should withdraw from the gasoline tax field: Now, therefore,

*Be it resolved by the Senate of the state of Kansas, the House of Representatives concurring therein:* That we respectfully urge and request the congress of the United States to enact legislation which will provide for the withdrawal of the federal government from the field of gasoline taxes; and

*Be it further resolved,* That the secretary of state be directed to transmit a copy of this resolution to the president of the United States, the vice-president of the United States, the speaker of the house of representatives of the congress of the United States, and each member of the Kansas delegation in the United States house of representatives and the United States senate and to the respective houses of the legislatures of the several states of the United States.

I hereby certify that the above CONCURRENT RESOLUTION originated in the SENATE, and was adopted by that body February 2, 1953.

SENATE concurred in HOUSE amendments March 6, 1953.

FRED HARL, *President of the Senate*

SIDNEY MARGARET GARDINER, *Secretary of the Senate*

Adopted by the HOUSE, as amended, March 4, 1953.

CHARLES D. STOUGH, *Speaker of the House*

FRANK GARRETT, *Chief Clerk of the House*

## STATE OF WISCONSIN

[Jt. Res. No. 16, A.]

No.-----, 1953

## A JOINT RESOLUTION

Thanking the State of California for its hospitality.

WHEREAS, it was the pleasure of about 13,000 Wisconsin football fans, the University of Wisconsin football squad and the University of Wisconsin band to visit the great State of California to witness or participate in the Rose Bowl game of 1953; and

WHEREAS, the good people of California were most generous in their friendship and hospitality thereby making the visit one of continuous pleasure; and

WHEREAS, the weather and those charged with making the arrangements for the many activities during the festival co-operated to make the trip one which will always be remembered and one which will enhance the friendship between the inhabitants of two great states; now, therefore, be it

*Resolved by the assembly, the senate concurring,* That the legislature, on behalf of the citizens of the state of Wisconsin express to the State of California, through its governor and legislature, their appreciation for the friendly, hospitable treatment received by the citizens of Wisconsin who attended the Rose Bowl festivities and

for the indelible memories of a most enjoyable visit which they will always cherish; and be it further

*Resolved*, That copies of this resolution be transmitted to His Excellency, Earl Warren, the Governor of the State of California and to the presiding officer of each house of the California legislature.

GEORGE M. SMITH

*President of the Senate.*

THOMAS M. DONAHUE

*Chief Clerk of the Senate.*

ORA R. RICE

*Speaker of the Assembly.*

ARTHUR L. MAY

*Chief Clerk of the Assembly.*

#### MOTION TO CONGRATULATE ASSEMBLY

Senator O'Gara moved that the Senate congratulate the Assembly and the Honorable Thomas A. Maloney for the brilliant program they put on this morning and that when the Senate adjourns this day, that it does so out of respect to the memory of St. Patrick.

Motion carried.

#### PRESENTATION BY LIEUTENANT GOVERNOR GOODWIN J. KNIGHT TO SENATOR JAMES J. McBRIDE

Lieutenant Governor Knight presented a cross made of moss and shamrocks, which had been flown by T. W. A. from Ireland at the request of Hon. Thomas A. Maloney, to Senator James J. McBride, who is the only legislator in the California Legislature to have been born in Ireland.

#### COMMUNICATIONS

The following communications were received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, March 16, 1953

Hon. Joseph A. Beek  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

MY DEAR MR. BEEK: In compliance with Senate Resolution No. 78, adopted March 11, 1953, requesting that this Department submit to the Senate not later than March 17, 1953, what in its opinion should constitute a system of limited mileage of state highway routes of state-wide traffic importance, we submit herewith two maps of the State of California upon which there is delineated the system we suggest.

In the preparation of this presentation we have been mindful, first, of the requirement that the mileage included should constitute an integrated system and that it should importantly serve traffic through the entire State. We were likewise mindful of the obligation that the system presented be limited as to its over-all mileage. Having given your request our most careful consideration, it is the opinion of this department that the mileage shown on the accompanying maps provides the system which meets the requirements of your resolution.

The system is delineated upon two separate maps, one showing the distribution of the 1950 population of the State of California, and the other showing the relationship of the limited system to the entire State Highway System.

This system comprises approximately 4,900 miles, of which 3,850 miles are deficient. To correct these deficiencies will require an expenditure of approximately \$2,400,000,000.

We are compiling the data necessary to provide the remaining information requested in Senate Resolution No. 78 and will furnish this information within the next few days.

Sincerely,

FRANK B. DURKEE  
Director of Public Works

Communication read, and ordered printed in the Journal, and maps ordered filed with the Secretary of the Senate.



STATE OF CALIFORNIA, DEPARTMENT OF FINANCE  
SACRAMENTO 14, January 30, 1953

Honorable Earl Warren  
Mr. Arthur Ohnimus  
Mr. Joseph A. Beek

*Subject:* Senate Concurrent Resolution No. 12, 1952 First Extraordinary Session

GENTLEMEN: Senate Concurrent Resolution No. 12, adopted at the 1952 First Extraordinary Session, calls upon the Director of Finance, the Director of Public Works, the State Architect, and the State Purchasing Agent to continue an investigation regarding effecting adequate information to California suppliers, which was requested by Senate Concurrent Resolution No. 94 and Senate Resolution No. 206 of the 1951 General Session.

Further, Senate Concurrent Resolution No. 12 requests the above-mentioned state officials to make a written report on or before February 1, 1953, to the Governor and the Legislature covering the matters specified in Senate Concurrent Resolution No. 94 and Senate Resolution No. 206 of the 1951 General Session.

Attempts have been made to arrange subsequent meetings with representatives of the industries concerned, in addition to the meeting covered in the report of January 25, 1952, but no meetings have been held since the adoption of Senate Concurrent Resolution No. 12. However, there is continued progress toward the goal set up under the two resolutions, namely that of giving California firms a better opportunity to compete for state business in the general fields of cabinet and metal work.

During the past year in accordance with instructions (copies of which were attached to the January 25, 1952 report) detailed in:

- a) memorandum on "Laboratory Equipment" for the Department of Education, dated December 21, 1951,
- b) memorandum on "Library Stacks and Furniture" Department of Education, dated December 26, 1951,

bids have been solicited for various installations of library furniture and laboratory equipment through the use of detailed plans and specifications, in lieu of the prior practice of brand reference, which was the main subject of complaint.

On a number of these installations California firms have been successful in submitting the lowest responsible bid meeting specifications and have received awards. These are as follows:

Sacramento State College—Laboratory Equipment Vendor: Custom Built Laboratory Equipment Co., Burbank.

Humboldt State College—Main Building—Laboratory Equipment Vendor: Weber Showcase Co., Los Angeles.

Chico State College—Laboratory Equipment, Wood Vendor: Fink & Schindler, San Francisco.

Sacramento State College—Library Shelving, Wood Vendor: Crescent Sho Case & Fixture Co., Stockton.

Sacramento State College—Library Shelving, Steel Vendor: Healey & Popovich, Fresno, (Distributor for W. R. Ames Co., San Francisco).

The above awards totaled approximately \$175,000.

In addition to the above, the Division of Architecture is presently preparing plans and specifications, under the new procedure, covering fixtures and equipment for Fresno, San Diego, and San Jose State Colleges.

It is our intention to discuss this entire matter with the author of Senate Concurrent Resolution No. 12, Senator Gerald O'Gara, immediately upon the reconvening of the Legislature on February 24, 1953.

Respectfully submitted,

JAMES S. DEAN  
Director of Finance  
FRANK B. DURKEE  
Director of Public Works  
ANSON BOYD  
State Architect  
L. E. HOBART  
State Purchasing Agent

## RESOLUTIONS

The following resolution was offered:

By Senator Berry:

### Senate Resolution No. 88

Relating to the death of Second Lieutenant Sanford L. Price

WHEREAS, The Members of the Senate have learned with regret of the recent death of Sanford L. Price, second lieutenant in the 96th Fighter Interceptor Squadron,



United States Air Force, while flying a jet plane on duty with his command on the East Coast; and

WHEREAS, Sandy Price was one of the best known and well-liked young citizens of El Dorado County, having been educated in the grade school at Diamond Springs and the El Dorado County High School at Placerville, and became an Eagle Scout in the Diamond Springs troop; and

WHEREAS, Sanford L. Price formerly was an employee of Western News Service, and as such was well known to the Members of the Senate of the State of California, and was held in high regard by them, and left to volunteer in the United States Air Force; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Members thereof hereby render an expression of sympathy to Mr. and Mrs. Chalmers G. Price of Diamond Springs on the passing of their son, who died in the service of his Country; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit a suitably engrossed copy of this resolution to Mr. and Mrs. Chalmers G. Price.

Resolution read, and unanimously adopted on a motion by Senator Berry.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1486

Senate Bill No. 1633

And reports the same correctly re-engrossed.

POWERS, Chairman

### Committee on Elections

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Constitutional Amendment No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 321

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

### Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Public Utilities, to which were referred:

Assembly Bill No. 1903

Assembly Bill No. 1948

Assembly Bill No. 1920

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

O'GARA, Chairman

Above reported bills ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 1462

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 97

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:  
Senate Bill No. 1652

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:  
Senate Bill No. 1603

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; noes 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:  
Assembly Bill No. 921

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:  
Assembly Bill No. 44  
Assembly Bill No. 569

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1604

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; noes 3; absent 1; passed.

DORSEY, Chairman

Above reported bill ordered to second reading.

**Call of the Senate**

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 2.25 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 186**

Senator Tenney moved that Senate Bill No. 186 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Judiciary.

Motion carried.

**CONSIDERATION OF DAILY FILE****MOTIONS TO RECONSIDER****Senate Bill No. 305**—An act to repeal Section 1580 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of transportation of certain needy children.**MOTION TO RECONSIDER SENATE BILL NO. 305**

Pursuant to his motion previously made, Senator Thompson moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 305 was refused passage.

The roll was called, and Senate Bill No. 305 reconsidered by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

**MOTION TO RE-REFER SENATE BILL NO. 305**

Senator Thompson moved that Senate Bill No. 305 be re-referred to Committee on Social Welfare.

Motion carried.

**Senate Bill No. 560**—An act to amend Section 66k of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

**MOTION TO RECONSIDER SENATE BILL NO. 560**

Pursuant to his motion previously made, Senator Desmond moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 560 was passed.

The roll was called, and Senate Bill No. 560 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

**NOES**—None.

Senate Bill No. 560 ordered placed on third reading file.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Desmond asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Senate Bill No. 1486 printed in the Journal.

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, March 16, 1953

*Hon. Earl D. Desmond*

*Senate Chamber*

*Effect of S.B. 1486 on the Sacramento-Yolo County Port District  
No. 7222*

DEAR SENATOR DESMOND:

*Question*

You have asked whether Senate Bill No. 1486, Item No. 15 on the Senate Third Reading File for March 16, 1953, would affect the Sacramento-Yolo County Port District.

*Opinion*

The repeal of these sections would not affect the Sacramento-Yolo County Port District.

*Analysis*

Senate Bill No. 1486 was introduced pursuant to the Report on Unused District Laws prepared by the California Code Commission pursuant to Senate Resolution No. 220 of the 1951 Session. This report on unused district laws is printed as an appendix to the Report of the California Code Commission to the 1953 Session of the Legislature. It is there pointed out that Sections 5000-5601 of the Harbors and Navigation Code, providing for the creation of municipal port districts, have never been used. The Secretary of State reports that there are no districts organized under that statute. For this reason S.B. 1486 was introduced to repeal this statute.

The Sacramento-Yolo County Port District was formed under Sections 6800-6963 of the Harbors and Navigation Code as a "river port" district. Section 6802 of the Harbors and Navigation Code provides that no other law has any effect upon the part of the code relating to river



port districts. We conclude, therefore, that the sections of the statute repealed by S. B. 1486 do not in any way affect the Sacramento-Yolo County Port District.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By CHAS. W. JOHNSON, Chief Deputy

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hatfield announced that he was advised by the Legislative Counsel that Senate Bills Nos. 822, 824, and 647 carry an appropriation.

The President ordered Senate Bills Nos. 822, 824, and 647 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### Motion to Refer Bill to Inactive File

Senator Hatfield moved that Assembly Bill No. 1908 be placed on the inactive file.

Motion carried.

#### CONSIDERATION OF DAILY FILE (RESUMED)

##### SECOND READING OF SENATE BILLS

**Senate Bill No. 1648**—An act to add Section 463 to the Public Utilities Code, relating to contracts to transmit electric power developed by facilities of the Central Valley Project.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1068**—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1649**—An act to add Section 1253.5 to the Water Code, relating to the appropriation of water.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1531**—An act to amend Section 7 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to the Napa County Flood Control and Water Conservation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 497**—An act to amend Sections 35401 and 35626 of the Water Code, relating to powers of water districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 888**—An act to amend Sections 24503 and 24504 of the Education Code, all relating to first aid equipment for schools.

Bill read third time.

**Motion to Amend**

Senator Donnelly moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 through 18, and insert "24503. Every first aid kit shall include the following articles and such other equipment as the school officials charged with the duty of maintaining it may consider useful or necessary for the purpose of this chapter:

- (a) 12 3" x 3" sterile gauze packages
- 4 1" gauze roller bandages
- 4 2" gauze roller bandages
- 4 Triangular bandages
- 1 Roll adhesive tape 1" (10 yds.)

- (b) An American Red Cross first aid textbook or written instructions for use of contents of the first aid kit."

**Amendment No. 2**

On page 1, lines 25 and 26, of said bill, strike out " contents of which shall be specified by regulation of the State Board of Education".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 820**—An act to add Section 1086.2 to the Military and Veterans Code, relating to the Woman's Relief Corps Home.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1, lines 8 and 9, of the printed bill, strike out "not to exceed two hundred and twenty-five dollars (\$225) per month per member", and insert "to be established by mutual agreement between the private persons conducting the nursing home and the department, subject to approval by the Department of Finance".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1800**—An act to add Section 190 to the Military and Veterans Code, relating to armories.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "available", and insert "apportioned or prorated".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 823**—An act to amend Sections 16, 215, 225, 228, 232, 236, 238, 256, 269, 326, 431, and 644 of the Military and Veterans Code, relating to the military forces of the State, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 825**—An act to amend Sections 502, 502.1, 502.2, 503, 504, 506, 509, 512, 513, 515 and 520.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1021**—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 903**—An act to add Article 5d to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective the Veterans Bond Act of 1953.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

##### Amendment No. 1

On page 2, lines 14 and 15, of the printed bill, strike out "----- dollars (\$-----)", and insert "three hundred million dollars (\$300,000,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 374**—An act to add Sections 10214 and 10270.65 to the Insurance Code, relating to group insurance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

##### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in Senate March 4, 1953, strike out "generally or their dependents".

##### Amendment No. 2

On page 2, line 3, of said bill, strike out "generally or their dependents".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 648**—An act to add Section 12300.3 to the Financial Code, relating to trust accounts for licensees under the Check Sellers and Cashers Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill as amended in the Senate on February 27, 1953, strike out "or cashing checks, drafts, or money orders,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 650**—An act to add Sections 12301.2 and 12301.3 to, and amend Section 12200 of, the Financial Code, relating to the sale of checks, drafts, or money orders by licensees under the Check Sellers and Cashers Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 12, of the printed bill as amended in the Senate on February 27, 1953, strike out "shall file" and insert "the licensee shall have filed".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 963**—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers in purchases, sales and loans of admitted insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "1101", and insert "1105".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "1101", and insert "1105".

**Amendment No. 3**

On page 1 of said bill, strike out lines 3 to 14, inclusive, and insert "1105. This article shall not prevent:

(a) The purchase by any person of any asset which the commissioner requires to be sold, at a price approved by the commissioner.

(b) The borrowing in accordance with its terms by any person upon a policy of life insurance upon his own life.

(c) The payment of a fee to any attorney for legal services rendered to any such insurer.

(d) The receipt of advances under agency contracts by agents of life insurers.

(e) A lease for a period of not exceeding five (5) years by an insurer of a portion of any real property owned by it pursuant to subsections (a) and (b) of Section 1150 to its officers, directors, trustees, or any persons who have authority in the management of the insurer's funds, at not less than its fair rental value."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1713**—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 3, inclusive; and in line 4, strike out "to said code", and insert "An act to amend Section 12100 of the Financial Code".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 12100 of the Financial Code is amended to read:"

**Amendment No. 3**

On page 2 of said bill, strike out lines 14 to 17, inclusive.

**Amendment No. 4**

On page 2, line 18, of said bill, strike out "(c)", and insert "(b)".

**Amendment No. 5**

On page 2, line 19, of said bill, strike out "(d)", and insert "(c)".

**Amendment No. 6**

On page 2, line 21, of said bill, strike out "(e)", and insert "(d)".

**Amendment No. 7**

On page 2 of said bill, strike out lines 26 to 51, inclusive, and strike out all of pages 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 630**—An act to amend Section 1676 of the Insurance Code, relating to insurance agents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 9 of the printed bill, strike out "agent, or", and insert "a".

**Amendment No. 2**

In lines 9 and 10 of said bill, strike out "as the case may be,".

**Amendment No. 3**

In line 14 of said bill, strike out "no such certificate shall"; and strike out all of lines 15, 16, and 17.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**Senate Bill No. 649**—An act to amend Sections 12214, 12217, 12218, 12220, 12222, and 12301 of the Financial Code, relating to the Check Sellers and Cashers Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 951**—An act to add Section 1176.7 to the Insurance Code, relating to the authority of insurers to take purchase money mortgages.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On line 2 of the title of the printed bill, before the period, insert "or deeds of trust".

**Amendment No. 2**

On page 1, line 6, of said bill, strike out "like securities", and insert "deeds of trust".

**Amendment No. 3**

On page 1, line 7, of said bill, strike out "or exchange".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 313**—An act to add Sections 1469 and 1470 to the Civil Code, relating to covenants in leases affecting contiguous real property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 18, of the printed bill, strike out "executed, acknowledged and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1220**—An act to amend Section 18 of the Penal Code, relating to punishment of felony when not otherwise prescribed.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 8, of the printed bill as introduced in Senate January 16, 1953, strike out "and", and insert "or".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 393**—An act to amend Sections 6140 and 6141 of the Business and Professions Code, relating to membership fees in the State Bar.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 242**—An act to amend Section 2601 of the Penal Code, relating to the right of inheritance of persons sentenced to imprisonment in the state prison for life.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 243**—An act to amend Section 664 of the Penal Code, relating to the punishment of persons for attempted crimes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 284**—An act to amend Section 710 of the Code of Civil Procedure, relating to the enforcement of judgments against debtors to whom money is owed by public agencies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1215**—An act to amend Section 489 of the Penal Code, relating to the punishment of grand theft.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1216**—An act to amend Section 4532 of the Penal Code, relating to the punishment of escapes from jail, industrial farm, road camp or custody of officer.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1219**—An act to add Section 18b to the Penal Code, relating to the minimum punishment for felony.

Bill read second time, ordered engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1898**—An act to codify certain acts, relating to military affairs and veterans' affairs, aid and welfare, by adding Section 1509.5 to the Military and Veterans Code; Chapters 2 and 3 to Division 7 of said code, and Division 8 to said code; and by repealing certain acts and sections specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1330**—An act to repeal Section 1708.5 of the Insurance Code, relating to life insurance agents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 522**—An act to amend Section 1803 of the Insurance Code, relating to bail solicitors' licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1328**—An act to amend Section 802 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1329**—An act to amend Sections 1708, 1711, and 1713 of, and to add Section 1713.7 to, the Insurance Code, all relating to life insurance agents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 520**—An act to amend Section 1677 of the Insurance Code, relating to certificates of convenience to act as insurance agent or solicitor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 521**—An act to amend Section 1731 of the Insurance Code, relating to insurance licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1340**—An act to amend Sections 1679.2, 1706.9, 1706.95 and 1709.2 of, and to add Sections 1643.5 and 1705.6 to, the Insurance Code, all relating to insurance production agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1331**—An act to add Section 1734 to the Insurance Code, relating to insurance licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1332**—An act to amend Section 1802.6 of the Insurance Code, relating to bail licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1333**—An act to repeal Chapter 4, Part 1, Division 2, Chapter 7, Part 2, Division 2, Chapter 8, Part 2, Division 2 and Chapter 5, Part 3, Division 2 of the Insurance Code, relating to insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1334**—An act to amend Section 11069 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1336**—An act to amend Section 10209 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1337**—An act to amend Section 32 of the Insurance Code, relating to life insurance agents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1338**—An act to amend Sections 1645, 1648.3, 1648.6 and 1659 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1339**—An act to amend Section 1720 of the Insurance Code, relating to life insurance analysts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1918**—An act to codify certain statutes, relating to the use of property for unlawful purposes and the abatement thereof, by adding Chapter 3 to Title 1 of Part 4 of the Penal Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1919**—An act to codify certain statutes, relating to the control of deadly weapons by adding Title 2 to Part 4 of the Penal Code, and by repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 1921**—An act to amend Section 79.29 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in and for Nevada County.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1922**—An act to codify certain acts, relating to civil actions and procedures, by adding Sections 410.1, 663.1, 663.2, 730, 731b, 1238.5, 1266.2, and 1855b to the Code of Civil Procedure; Chapter 3.5, comprising Sections 751.01 to 751.28, inclusive, Chapter 7, comprising Sections 830 to 836, inclusive, Chapter 8, comprising Sections 850 to 856, inclusive, to Title 10 of Part 2 of said code; Chapter 5, comprising Section 1208.61 to 1208.70, inclusive, to Title 4 of Part 3 of said code; Title 10b, comprising Sections 1700 to 1706, inclusive, to Part 3 of said code; Article 2.1, comprising Sections 1928.1 to 1928.4, inclusive, and Article 4, comprising Sections 1953 to 1953.06, inclusive, to Chapter 3 of Title 2 of Part 4 of said code; and by repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1280**—An act to amend Section 6101 of the Business and Professions Code, relating to disbarment or suspension of attorneys.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1838**—An act to amend Sections 1516, 1535, 1550, 1554, 1554.1, and 1558 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1839**—An act to amend Section 5406.5 of the Welfare and Institutions Code, relating to jury trials of inebriates committed to a state hospital.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1865**—An act to codify the Meat Sellers Fair Competition Act by adding Section 363 to the Agricultural Code and repealing Chapter 382 of the Statutes of 1935, relating to the sale of meat.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1871**—An act to codify Chapter 371 of the Statutes of 1909, Chapter 19 of the Statutes of 1893, Chapter 34 of the Statutes of 1941, and Chapter 369 of the Statutes of 1921, relating to the regulation of private business, business transactions and licensed professions by adding Sections 7401, 16104, and 30046 to, and Chapter 4 to Part 2, Division 4, and Chapter 2.5 to Part 2, Division 7 of, the Business and Professions Code, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1894**—An act to codify a statute relating to enforcement in this State of the Fair Labor Standards Act of 1938, by adding Section 50.6 to the Labor Code and by repealing Chapter 44 of the Statutes of 1939.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1909**—An act to codify certain acts, relating to crimes and the punishment thereof, by amending Section 182 of, by adding Chapter 12 to Title 13 of Part 1 of, by adding Article 4 to Chapter 3 of Title 1 of Part 4 of, by adding Article 5 to Chapter 3 of Title 1 of Part 4 of, and by adding Sections 217.1, 266h, 266i, 310, 337h, 487b, 487c, 487d, 597k, 643, 643a, 643b, 646, 649, 649a, and 650a to, the Penal Code, and by repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1910**—An act to codify Chapter 644 of the Statutes of 1865-1866, relating to competency of witnesses in criminal proceedings, by adding Section 1323.5 to the Penal Code, and repealing Chapter 644 of the Statutes of 1865-1866.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1911**—An act to codify certain acts, relating to the disposition of evidence subsequent to criminal cases, by adding Chapter 13 to Title 10 of Part 2 of the Penal Code, and repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1912**—An act to codify Chapter 164 of the Statutes of 1917, relating to institution-made goods, by adding Article 2 to Chapter 1 of Title 14 of Part 2 of the Penal Code, and repealing Chapter 164 of the Statutes of 1917.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1913**—An act to codify certain statutes, relating to the parole of prisoners, by amending Section 3001 of, by adding Article 3.5 to Chapter 8 of Title 1 of Part 3 of, and by adding Article 3 to Chapter 2 of Title 1 of Part 4 of, the Penal Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1914**—An act to codify Chapter 843 of the Statutes of 1921 and Chapter 299 of the Statutes of 1935, relating to penal industrial farms and road camps, by adding Chapter 2 to Part 3 of Title 4 of the Penal Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1915**—An act to codify Chapter 723 of the Statutes of 1917, relating to criminal identification and investigation, by adding Part 4, comprising Chapter 1 of Title 1 of said part, to the Penal Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1916**—An act to codify Chapter 1563 of the Statutes of 1951, relating to notification of release from custody of persons convicted of arson, by adding Article 1 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 1563 of the Statutes of 1951.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1917**—An act to codify Chapter 417 of the Statutes of 1929, relating to reports of injuries by hospitals, by adding Article 2 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 417 of the Statutes of 1929.

**Assembly Bill No. 819**—An act to amend Section 1461 of the Probate Code, relating to guardians for insane or incompetent persons.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 22, of the printed bill, strike out "and certificate".

##### Amendment No. 2

On page 1, line 26, of said bill, strike out "certificate", and insert "affidavit".

##### Amendment No. 3

On page 1, line 26, of said bill, strike out "registrar,".

##### Amendment No. 4

On page 1, line 27, of said bill, strike out "registrar,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 26**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1269**—An act to repeal Chapter 861 of the Statutes of 1927, relating to the Ventura County Harbor District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1486**—An act to repeal Chapter 1, of Part 1, of Division 8 of the Harbors and Navigation Code, relating to municipal port districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### MOTION TO PRINT OPINION

Senator Desmond moved that the following opinion of the Legislative Counsel regarding Senate Bill No. 1876, as amended, be printed in the Journal, and also that the Journal show that Senator Hatfield had received a similar opinion from the Legislative Counsel.

Motion carried.

#### OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, March 17, 1953

*Hon. Earl D. Desmond*  
*Senate Chamber*

*S.B. 1876, as amended in Senate March 13, 1953: Municipal  
Utility Districts—No. 7232*

DEAR SENATOR DESMOND: You ask whether Senate Bill No. 1876, as amended in the Senate on March 13, 1953, would affect the tax liability of a municipal utility district with respect to any of its property located outside its boundaries.

It is our opinion that it would not.

The bill, as amended, would authorize a municipal utility district to make an annual payment on property belonging to it "in such amount as it may determine in lieu of ad valorem taxes collected by each city or county" in which the property is situated.

Under Section 1 of Article XIII of the State Constitution all property of a municipal utility district located outside its boundaries, other than land or any improvement thereon which was taxable at the time of its acquisition by the district, is exempt from taxation (see *Rock Creek Water District v. County of Calaveras* (1946), 29 Cal. 2d 7).

It seems to us that in view of this, Senate Bill 1876, as amended, insofar as it applies to the property of a municipal utility district located outside its boundaries, relates only to such of its property as is tax exempt, and has no application at all to its taxable property. If not so limited, it would be difficult to understand its purpose.

In the latter connection, it is to be noted that there are provisions of a comparable nature now on our books which are clearly designed to assist one political subdivision in which the tax-exempt property of another governmental unit is located from loss in revenue resulting



from such exemption (e.g., see Pub. R. C., Sec. 4433). Section 12264 of the Insurance Code formerly also contained such a provision (Stats. 1943, Ch. 956).

Senate Bill 1876, as amended, appears to have been drafted in order to accomplish a generally similar object, and in no way affects the tax liability of a municipal utility district.

Very truly yours,

RALPH N. KLEPS  
Legislative Counsel  
By J. GOULD, Deputy

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1876**—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

Motion to Amend

Senator Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 15, insert

"This section does not relieve any municipal utility district from the obligation to pay taxes with respect to any of its property which is taxable under the provisions of Section 1 of Article XIII of the State Constitution."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1633**—An act to add Sections 7.5 and 7.6 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, O'Gara, Parkman, Tenney, Way, Weybret, and Williams—27.

NOES—Senator Donnelly—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, O'Gara, Parkman, Tenney, Way, Weybret, and Williams—27.

NOES—Senators Donnelly and Sutton—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 529**—An act to amend Section 5091 of the Penal Code, relating to the state correctional system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 256**—An act to amend Section 4862 of the Education Code, relating to school districts.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 256 be placed on the inactive file.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.05 p.m., on motion of Senator Hatfield, further proceedings under the call of the Senate were dispensed with.

**LETTER OF TRANSMITTAL**

SENATE CHAMBER, SACRAMENTO, March 1953

*Hon. Goodwin J. Knight, President,  
and Members of the Senate*

GENTLEMEN: Your Senate Interim Judiciary Committee, created by Senate Resolution No. 200 (Senate Journal, June 23, 1951, page 3967), presents herewith a second progress report of its activities and results of its investigations, together with its recommendations.

Respectfully submitted by,

BURT W. BUSCH  
GERALD J. O'GARA  
EARL D. DESMOND  
JACK B. TENNEY  
A. W. WAY

**Motion to Print Report**

Senator Busch moved that the letter of transmittal be printed in the Journal, and the second progress report of the Senate Interim Judiciary Committee be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

**WITHDRAWAL AND RE-REFERENCE OF  
SENATE BILLS NOS. 60 AND 61**

Senator Desmond moved that Senate Bills Nos. 60 and 61 be withdrawn from Committee on Local Government, and re-referred to Committee on Governmental Efficiency.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 496**

Senator Williams moved that Senate Bill No. 496 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 496**—An act to add Chapter 3 to Part 1 of Division 4 of the Fish and Game Code, relating to the licensing and regulating of fishing and hunting guides.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, lines 13 and 14, of the printed bill, strike out "it shall be mandatory on the part of the court to", and insert "the court may".

**Amendment No. 2**

On page 2 of said bill, after line 25, insert

"475. Any person who transports other persons or their equipment, or both, in the national forest or national parks must have a valid grazing permit for horses and mules from the United States Forest Service or a packing permit from the national parks, or both, to be eligible for a guide license.

476. The provisions of this chapter do not apply to employees of a guide or packer licensed hereunder."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 771**

Senator Abshire moved that Senate Bill No. 771 be withdrawn from Committee on Financial Institutions for purpose of amendment.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 771**—An act to amend Sections 6070 and 6071 of the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "reinsure or".

**Amendment No. 2**

On page 1 of said bill, strike out line 4, and on line 5, strike out the first word "or".

**Amendment No. 3**

On page 1, line 6, of said bill, strike out the period, and insert "or from any authorized insurer the stock of which is wholly owned by county mutual insurers. In any such case the reinsurance accepted by any one insurer shall not exceed the amount of risk retained by the insurer originating the business."

**Amendment No. 4**

On page 1 of said bill, strike out lines 10 to 14, inclusive, and insert "6071. Any such insurer may cede reinsurance provided each of the following conditions are met:

(1) The amount retained by the originating insurer shall be not less than 10 percent nor less than five hundred dollars (\$500); provided, however, that the minimum required hereunder shall never exceed six thousand dollars (\$6,000).

(2) If the reinsurance is ceded to a nonadmitted reinsurer then the applicable provisions of Sections 922 to 922.8 inclusive shall govern for the purposes of testing the solvency and preparing the annual statement of the ceding insurer."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 772**

Senator Abshire moved that Senate Bill No. 772 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 772**—An act to amend Section 6070 and to repeal Section 6071 of the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6070 and to repeal 6071", and insert "6047".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "6070", and insert "6047".

**Amendment No. 3**

On page 1 of said bill, strike out lines 3 to 9, inclusive, and insert "6047. Except as provided in this section, such insurer shall not issue policies to an amount in excess of six thousand dollars (\$6,000) on any one risk, whether under one or more policies, without immediately reinsuring the excess amount in some other insurer. Any such insurer having more than ten million dollars (\$10,000,000) direct insurance in force as shown by its books may, for each one million dollars (\$1,000,000) in excess of ten million dollars (\$10,000,000), write five hundred dollars (\$500) additional insurance in excess of six thousand dollars (\$6,000) on each such risk; *provided, however, that any such insurer 90% of whose business in force is reinsurance assumed which has more than ten million dollars (\$10,000,000) gross insurance in force may, for each one million dollars (\$1,000,000) in excess of ten million dollars (\$10,000,000) write five hundred dollars (\$500) additional insurance in excess of six thousand dollars (\$6,000) on each such risk.* Any such insurer issuing nonassessable policies as provided in Section 7015 (c) (3) hereof, may issue policies in accordance with Section 3080 of this code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 773**

Senator Abshire moved that Senate Bill No. 773 be withdrawn from Committee on Financial Institutions for purpose of amendment.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 773**—An act to amend Section 6013 of the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the word "Section", insert "s and 5093".

**Amendment No. 2**

In line 1 of the title of said bill, after the word "of", insert "and to add Section 6011.6 to,".



**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 of said bill, between the enacting clause and line 1, insert

"SECTION 1. Section 5093 of the Insurance Code is amended to read:

5093. The insurer may cancel any policy by giving the insured five (5) days written notice [and returning to him by check or otherwise any excess premium, paid during the term of the policy, over the cost of his insurance in accordance with the customary cancellation tables in use in this State.] *of cancellation with or without tender of excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.* Such notice may be served in person or by [registered] mail, addressed either to the member's last post office address or, if this is not known, to the address given upon the application which is part of the policy."

**Amendment No. 4**

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2".

**Amendment No. 5**

On page 1 of said bill, strike out line 4, and insert

"The type shall not be smaller than eight point and in a style not less legible than Century and sub-".

**Amendment No. 6**

On page 1, line 5, of said bill, strike out "heads shall be in type larger than pica", and insert "heads shall be in type larger than eight point and in a style not less legible than Century".

**Amendment No. 7**

On page 1 of said bill, after line 7, insert

"SEC. 3. Section 6011.6 is added to the Insurance Code, to read:

6011.6. In lieu of the attestation clause and official signatures in the form as set forth in Section 6010, the standard form policy may show, immediately following the policy provisions, the following:

"In witness whereof, this company has executed and attested these presents; but this policy shall not be valid unless countersigned by the duly authorized agent of this company at the agency hereinbefore mentioned.

Secretary

President"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 42**

Senator Hatfield moved that Senate Bill No. 42 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 42**—An act to add Part 1.5 to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 22, of the printed bill, strike out "Basin", and insert "Basins".

**Amendment No. 2**

On page 2, line 27, of said bill, strike out "sold", and insert "made available".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 99**

Senator Dorsey moved that Senate Bill No. 99 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 99**—An act to amend Section 1 of Chapter 1439 of the Statutes of 1951, relating to the municipal court in a district embracing the City of Bakersfield.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, of the printed bill, strike out lines 17 and 18, and insert "of three hundred thirty-eight dollars (\$338)."

**Amendment No. 2**

On page 1 of said bill, strike out lines 21 and 22, and insert "salary of three hundred twenty-two dollars (\$322)."

**Amendment No. 3**

On page 1, line 23, of said bill, after "Nine", insert "junior".

**Amendment No. 4**

On page 1 of said bill, strike out lines 25 and 26, and insert "of two hundred fifty-two dollars (\$252)."

**Amendment No. 5**

On page 2 of said bill, strike out lines 1 to 51, inclusive, and on page 3 strike out lines 1 to 4, inclusive.

**Amendment No. 6**

On page 3, lines 17 and 18, of said bill, strike out "to be appointed by the judges of the court", and insert "who shall be elected at the time or times and in the manner provided in the Municipal and Justice Court Act of 1949".

**Amendment No. 7**

On page 3, line 26, of said bill, strike out "Two", and insert "Six".

**Amendment No. 8**

On page 3, line 28, of said bill, strike out "Ten deputies (custodians)", and insert "Such number of keepers as may be necessary,".

**Amendment No. 9**

On page 3 of said bill, strike out line 30, and in line 31, strike out "for their actual services as".

**Amendment No. 10**

On page 3, line 32, of said bill, strike out "and".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 868**

Senator Berry moved that Senate Bill No. 868 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 868**—An act to amend Sections 442 and 452 of the Education Code, relating to the compensation of the county superintendents of schools.

Bill read second time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 442 and 452", and insert "Section 442".

**Amendment No. 2**

On page 1 of said bill, strike out line 5, and insert "six thousand dollars (\$6,000), and he shall".

**Amendment No. 3**

On page 1 of said bill, strike out lines 8 to 13, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 869**

Senator Berry moved that Senate Bill No. 869 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 869**—An act to amend Section 28142 of the Government Code, relating to the compensation of county officers.

Bill read second time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 7, and insert "four thousand eight hundred dollars (\$4,800) a year."

**Amendment No. 2**

On page 1, lines 11 and 12, of said bill, strike out "two thousand four hundred dollars (\$2,400)", and insert "three thousand dollars (\$3,000)".

**Amendment No. 3**

On page 1, line 17, of said bill, strike out "three dollars (\$3)", and insert "six dollars (\$6)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 870**

Senator Berry moved that Senate Bill No. 870 be withdrawn from Committee on Local Government, for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 870**—An act to amend Section 28152 of the Government Code, relating to the compensation of county officers.

Bill read second time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 7, and insert "two thousand seven hundred dollars (\$2,700) a year".

**Amendment No. 2**

On page 1 of said bill, strike out line 9, and insert "four thousand two hundred dollars (\$4,200) a year. He may".

**Amendment No. 3**

On page 1 of said bill, strike out line 14, and insert "three thousand six hundred dollars (\$3,600) a year for his services".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**REPORTS OF STANDING COMMITTEES****Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, March 17, 1953

**MR. PRESIDENT:** The Committee on Transportation, to which was referred: Assembly Bill No. 1881

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 8; absent 5.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 17, 1953

**MR. PRESIDENT:** The Committee on Transportation, to which was referred: Senate Bill No. 252

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 7; absent 6.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1953

**MR. PRESIDENT:** The Committee on Transportation, to which were referred:

Senate Bill No. 1153

Assembly Bill No. 1882

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 7; absent 6.

COLLIER, Chairman

Above reported bills ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 17, 1953

**MR. PRESIDENT:** The Committee on Judiciary, to which was referred:

Senate Bill No. 1223

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill re-referred to Committee on Finance.



SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 591

Has had the same under consideration, and reports the same back to be re-referred to Committee on Governmental Efficiency.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 186

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

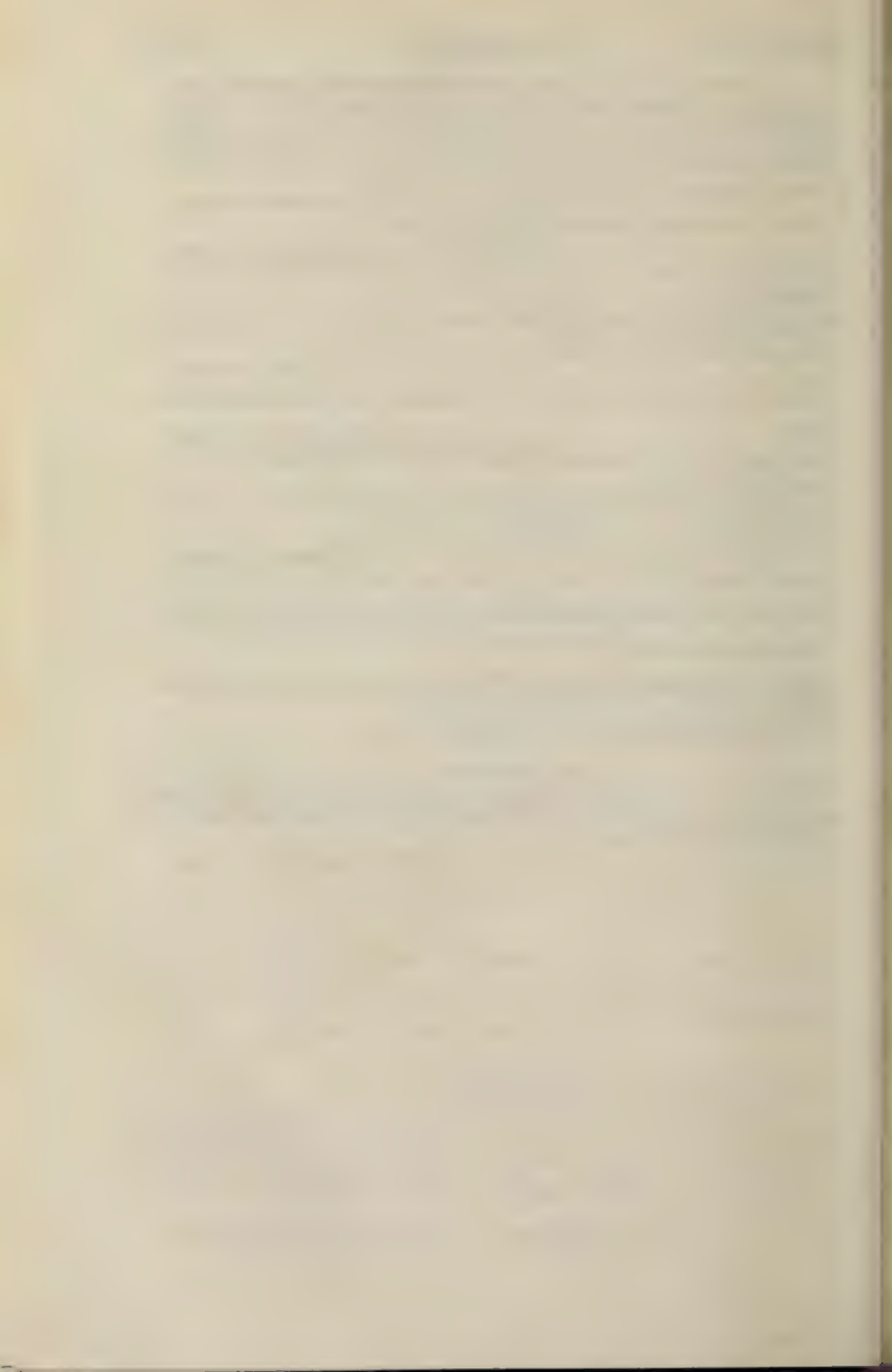
**Senate Concurrent Resolution No. 51:** By Senators Erhart and McBride—Relative to the trapping of condors.

Referred to Committee on Fish and Game.

**ADJOURNMENT**

At 3.24 p.m., on motion of Senator Hatfield, the President declared the Senate adjourned until 2 p.m., Wednesday, March 18, 1953, out of respect to the memory of St. Patrick.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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SENATE DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

THIRTY-SIXTH CALENDAR DAY

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IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, March 18, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator McCarthy, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman and Mrs. Floyd Jolley, and Mayor and Mrs. Paul Brown of Burbank.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jack Miller, Oxnard; Quinn Johnson, Thousand Oaks, and Bob Miller of Sacramento.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senator and Mrs. Davidson of Seattle, Wash.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Paul Cook and Mrs. Jack Haines and the following students of Ceres-Whitmore School: Gale Barnes, Pat Brown, Fred Bubeck, Larry Childers, Marilyn Cronan, Roger Dennis, Lloyd Doshier, Betty Evans, Marilyn Fischer, Harold Fisher, Sonja Freatas, Allen Fukui, Robert Fultz, Raymond Grizalva, Robert Hancock, Dixie Holloway, Sammy Lewis, Eddie Lytle, Patsy Martin, Freddie Mattice, Gudy McGee, Darlene McKay, Jimmy Miner, Barbara Morgan, Travis Owens, Kenneth Page, Rosalyn Painter, Jo Ann Parkerson, Leroy Payne, Gary Reeves, Leon Shamblin, Dorothy Slaughter, Ruth Stephens, Marri Jo Taylor, Earl Tollison, Brita Wallin, Tommie Ward, Pearl Wellborn, Hazel Western, Cynthia Wilson, Miles Winchester, Eleanor Haines, and Irmie Barnes.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. S. Hillis of Madera.

On request of Senators O'Gara and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Ethel Davis of San Francisco.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. M. Sorensen, Chamber of Commerce member; R. J. Furlong, Mayor; George Pecaro, Chamber of Commerce member, and N. W. Hagelberg, President, Chamber of Commerce, all of Vernon.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Rolfe and the following students of the Edendale School, San Lorenzo School District: Kenneth Adsero, Robert Cuddy, Kimm Hall, Richard Hayes, Gary Hunt, Thomas King, Earl Ray Lewis, Michael Meeker, James Middlemist, Donald Osterman, Donald Perry, Ronald Sauger, Lynn Sherbourne, Kenneth Smethers, Kenneth Strohm, Leonard VandenBurh, John Vargas, Ronald Williams, Deanna Baker, Lynn Berry, Toby Espindola, Mary McCullough, Roberta Horton, Diane Johnson, Darlene Judkins, Jacklyn Kuntz, Nancy Leutholtz, Maureen McDonald, Leona May Suttan, Carolyn Tavis, Marjorie Warnke, Beryl Weese, and Sandra Wood.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank S. Fitts of Laguna Beach.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Harry H. Ketman and Mrs. Jean C. Ketman, and the following cadets of the Palo Alto Military Academy: Lee Allen, Nick Burtz, Wilson Creek, Pat Fries, Ken Hough, Dennis McNeill, Richard Melencio, Bill Rambo, Bonner Ramsey, Fred Troupe, and Alwin Warfel.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Lawrence M. Crawford, Ruth Z. Crawford, Opal Sparks, Leitha Goodrich, and the following students of the Seventh and Eighth Grade classes of the



Snelling-Merced Falls Elementary School: Esther Penner, Maxine Gore, Jean Costa, Glenn Penner, Gary Visser, Jack Spratling, Frank Garber, Clifford Copus, Betty Cole, Carol Costa, Mary Stout, Stephen Davis, Leon Peirce, Richard Lemas, Deorman Stout, Gary Huffmaster, and Clarence Tighe.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. Ray Miller and the following students of the Winters Elementary School: Marilyn Adams, Ruth Akao, Dorothy Alexander, Joann Alexander, Don Azevedo, James Baughman, Anita Bond, Dale Brewer, Tancil Brown, Marion Bryan, Karen Christe, Judy Coombs, Betty Flanery, Alice Guerard, Dale Hansen, Mary Hattabaugh, Bobby Hester, Arthur Hobbs, Armida Invernon, Ruth Jones, Hortensia Lopez, Frank Martinez, Gene Mac Antosh, Florence Nakai, Isabel Rojo, Frances Rose, Charlene Russell, Wally Snodgrass, Tommy Thompson, Lee Vaughn, Edith Walters, Jocelyn West, Diane Young, Gerald Bryan, Pete Garrett, Leland Johnson, James Landrum, Bob Martin, and Kenneth Pollock.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard Hale, Mr. and Mrs. Albert Souza and Evelyn Albrecht, all of Snelling, Calif.

On request of Senators O'Gara, Way, Breed, and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas D. Dwyer of San Francisco, L. M. Duntley of Los Angeles, and E. Guy Warren of Hayward.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of the Orinda Union School Eighth Grade class: Dennis Allara, Roger Almond, Smedley Ambler, Gary Arol, Gary Biederman, Sandra Boyer, Peter Brooks, Bill Broderick, Ellen Cianciarulo, Charles Coburn, Richard Cocks, Curran Coe, Karen Collings, Terrence Collins, Patty Courtright, Phyllis Dail, Elizabeth Damcules, William Demeter, Philip Dempster, Douglas Dishong, James Donham, Michael Downs, Harold Ecklund, Maxilyn Engelhard, Donald Evans, Skip Fisk, John Fiske, Gordon Fowkes, Sarah Fowler, Sheelah Fox, DuVal Geissler, Barbara Gibbs, Kenneth Gibson, Janey Hanmaker, Johnny Hards, Marilee Harrar, George Harrison, Mary Hightower, Dennis Hill, Kyla Houston, Billy Hughes, Lucy Ann Hupp, Edda Ingram, Patricia Jackson, Donna Jamison, Anthony Johnson, Christopher Jorgensen, Margaret Kalbfleisch, Carol Ketsdever, Margaret Klinkner, John Lamberth, Tommy Layne, David Lee, Jack Lee, Nancy Long, Judy McAninch, Don March, Wally Marsh, Suzanne Markley, Jeraldine Moriarty, Richard Norman, Diane Nuffer, Chip Peacock, John Pedersen, Randy Peterson, Ernest Petrucci, Shailer Pickton, Lawrence Pilcher, Ardath Pinson, Natalie Pray, Jeffery Rankin, Anne Rapport, Marilyn Rauch, Midgie Raymond, Bill Ready, Karen Rhoda, Edward Rinne, Denise Roush, Robert Rupley, Katharine Schevill, Allan Schrader, Allen Shapiro, Gayle Sheehan, Ann Shuey, Marcia Silva, Stephen Slusser, Julie Smith, Frank Soule, Patsy Stevens, Jimmy Stewart, Roger Stocker, Gordon Studley, Jan Summers, Kenneth Swanson, Rosemary Thrane, Gordon Thurston, Park Trefts, Norma Waddell, Susan Wasson, John Whitestone, Lynne Wiggins, Michael Yates, Kathleen Young, Velma Young, and Penny Wolf.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. DeGiobbi, Mrs. McEwing, Mr. Cornellia, Mrs. Lally, Mr. Mitchell and the following students of the Pittsburg Junior High School: Pacifico Abenoja, Raymond Adams, Richard Alfaro, Frank Anderson, Lucille Bass, Anthony Billeci, Gilbert Cadena, Mary Ella Caudill, Mary Ann Chiapero, Martha De la O, James Diffey, Ophelia Dunham, Victor Gonzales, Jerry Harper, Ossie Jiles, Henry Kirven, Ann Malfitano, Bobby Osuna, Adah Pascua, Barbara Pearson, Fred Pera, Dolores Quarriek, Frank Revetta, Kathryn Romeo, Carole Rouse, Patsy Rowe, Marlene Shook, Ethelbel Silas, Flora Sills, Martin Wakefield, Jimmie Welch, James Wofford, Janet Young, Rose Marie Aiello, Betty Archulate, Pearl Atkins, Gabriel Avila, Raymond Bass, Frank Belleci, Yvonne Bonari, Anthony Borrelli, Vincent Carpetta, Diane Confetti, Claudia Fletcher, Jack Fong, Barbara Foust, Lawrence Gibaldi, Billy Gonzales, Henry Gutierrez, Maleum Harper, Irving Jones, Betty Kacz, Patricia Knowles, Ernestine Martinez, Claudia Mercurio, Judy Morales, William Muir, Demaciado Pascua, Shirley Richardson, William Roark, Emily Rodriguez, Karen Shaw, Kenneth Smith, Billy Webb, Ernesto Abenjo, Richard Beers, Gary Buckingham, Josephine Castro, Anthony Costanza, Calvin Crews, Leola Davis, Thomas DiMaggio, Gloria Enea, Keith Ericsson, Hannah Evans, Anthony Ferrante, Kenneth Granberg, Mary Lou Gutierrez, Mary Ann Inzerillo, Savador Love, El Martinez, Kearean Mathews, Linda Matson, Margaret Miranda, Alonzo Moriel, Nancy Muegal, Dwane Nordman, Marion Siino, Timothy Sylvester, Paul Trezza, Barbara Valencia, Barbara White, Martin Rios, Virginia Segovia, Dona Parmley, Diane Abono, Connie Adame, Dorothy Bonanno, Dorothy Brooks, Ronnie Bruno, Charlie Casillas, Rosine Costanza, Alice Ford, Johnny Garcia, Georgia Glavaris, Esther Gonzales, Doris Haskett, LaFerne Hodge, Lydia Hurtado, John Jiminez, Loye Lee Lloyd, Marie Lucido, Charles Lynn, Esther Molina, Mack Morris, Lewis Olvera, Judy Poe, Lupe Saavedra, Anita Shaffer, Billy Silva, Irma Joan Smith, Ronald Smith, Elizabeth Stewart, Victor Vagliente, Connie Verduceo, and Manuel Zamora.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John S. Rosselli of San Carlos, San Mateo County.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Harold Parma of Santa Barbara.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of the St. Peter Martyr School of Pittsburg: Anthony Aiello, Frank Belleci, Minnie Aiello, Joan Arata, Rosa Amezcua, Barton Bruno, Mary Jane Bruno, Anthony Barraco, John Costanza, Anthony Crivello, Celeste Riva, Frankpaul Lazio, Anthony Trumpower, Peter Vienna, Jerome Gromacki, Kenneth Kovacs, Charles Smith, Charles Possanza, Paul Stebritz, Nicolas Gonzales, Helen Vassar, Kay Holtzman, Francine Enea, Loretta Enea, Andrea Davi, Robert Davi, Kathleen Wildes, Margaret Mota, JoAnn Olvera, Prudence Renas, Mary Trezza, Rose Mangiefico, Elaine Thilgen, Catherine Cardinalli, Norine Lombardo, Clara Roybal, Roseanne Cattolico, Mary Jane Lacallee, La Von Kampf, Barbara Capucini, Gail Propersi, Patricia Seeno, Annette Ferrante, Colleen

McEarhen, Judy Washington, Marian Sposito, Geraldine Rissetto, Lucy Rajas, and S. M. Emily.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Howard McCuistion, mothers Mrs. G. H. Weaver, Mrs. Jack Stocking, Mrs. L. R. Sutton, Mrs. Fred Sneed, Mrs. Belle Soares, Mrs. Irene Robinson, bus driver Odin Hattervig, parent Russell Sumner and the following students of the Tracy Elementary School: Alan Cardoza, Elaine Clizbe, Don Fritz, Ruby Fry, Larry Grebil, Jean Kesterson, Georgia Listman, Margaret McClain, Billy Quigley, Joseph Robeiro, Tommy Reed, Barbara Reich, Jere Rhoads, Charles Riebhoff, Laura Robinson, Dennis Schwedhelm, Carol Searls, Sammie Sills, Mary Silva, Patsy Sisson, Billy Ray Slayter, Leon Slayter, Jimmie Sneed, Jere Soares, Larry Souza, Gary Spencer, Dale Stocking, Jimmie Stormes, Larry Strunk, Wayne Sumner, Charlie Sutton, Eugene Sweatt, Sandy Tornell, Ethyl Vieira, Steven Weaver, Nancy Welch, Marlene Wilson, Wanda Windham, Judy Wolke, and Betty Yates.

**President of the Senate Presiding**

At 2.04 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2	Assembly Bill No. 2019
Assembly Bill No. 53	Assembly Bill No. 2020
Assembly Bill No. 78	Assembly Bill No. 2036
Assembly Bill No. 220	Assembly Bill No. 2041
Assembly Bill No. 268	Assembly Bill No. 2042
Assembly Bill No. 439	Assembly Bill No. 2043
Assembly Bill No. 440	Assembly Bill No. 2044
Assembly Bill No. 443	Assembly Bill No. 2045
Assembly Bill No. 444	Assembly Bill No. 2046
Assembly Bill No. 922	Assembly Bill No. 2047
Assembly Bill No. 1996	Assembly Bill No. 2357
Assembly Bill No. 1997	Assembly Bill No. 2526
Assembly Bill No. 2017	Assembly Bill No. 2535
Assembly Bill No. 2018	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following bills were read the first time:

**Assembly Bill No. 2**—An act to amend Section 18053.5 of the Education Code, relating to school district purchases of materials or supplies.

Referred to Committee on Education.

**Assembly Bill No. 53**—An act to add Section 18053.6 to the Education Code, relating to school district public works.

Referred to Committee on Education.

**Assembly Bill No. 78**—An act to amend Section 5922 of the Education Code, relating to warehouse revolving funds.

Referred to Committee on Education.



**Assembly Bill No. 220**—An act to add Section 1251.5 to the Fish and Game Code, relating to deer, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 268**—An act to add Section 5010 to the Education Code, relating to audits of school funds.

Referred to Committee on Education.

**Assembly Bill No. 439**—An act to amend Section 25663a of the Revenue and Taxation Code, relating to taxation of corporations, banks, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 440**—An act to add Section 25674 to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 443**—An act to amend Section 25403 of, and to renumber Section 25404 of, and to add Sections 25401a and 25404 to, the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 444**—An act to add Section 1076.5 to the Fish and Game Code, relating to the taking and use of sardines for reduction purposes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 922**—An act to amend Section 429 of the Fish and Game Code, relating to issuance of fishing and hunting licenses to disabled veterans.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1996**—An act to amend Section 6915 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1997**—An act to repeal Section 5565 of the Health and Safety Code, relating to powers and duties of county sewerage and water districts, in respect to work specifications.

Referred to Committee on Local Government.

**Assembly Bill No. 2017**—An act to amend Section 7904 of the Public Resources Code, relating to proceedings against delinquent purchasers of state lands.

Referred to Committee on Local Government.



**Assembly Bill No. 2018**—An act to amend Section 5750 of the Public Resources Code, relating to regional shoreline park and recreation districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2019**—An act to amend Section 5568 of the Public Resources Code, relating to financing improvements of regional park districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2020**—An act to amend Section 5560 of the Public Resources Code, relating to the violation of regulations in regional park districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2036**—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2041**—An act to amend Section 8710.5 of the Water Code, relating to approval of plans of reclamation by the Reclamation Board.

Referred to Committee on Local Government.

**Assembly Bill No. 2042**—An act to amend Section 8129 of the Water Code, relating to improvement of non-navigable streams.

Referred to Committee on Local Government.

**Assembly Bill No. 2043**—An act to amend Section 1611 of the Water Code, relating to the issuance or refusal of licenses to divert water.

Referred to Committee on Local Government.

**Assembly Bill No. 2044**—An act to amend Section 1464 of the Water Code, relating to preferred priorities of municipalities in the appropriation of water.

Referred to Committee on Local Government.

**Assembly Bill No. 2045**—An act to amend Section 310 of the Water Code, relating to waste from artesian wells.

Referred to Committee on Local Government.

**Assembly Bill No. 2046**—An act to amend Section 5060 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Local Government.

**Assembly Bill No. 2047**—An act to amend Section 824 of the Streets and Highways Code, relating to highways.

Referred to Committee on Local Government.

**Assembly Bill No. 2357**—An act to amend Section 186 of the Streets and Highways Code, relating to expenditures for maintenance and general administration purposes.

Referred to Committee on Transportation.

**Assembly Bill No. 2526**—An act to amend Sections 1010, 1011, and 1012 of the Agricultural Code, relating to spray residue.

Referred to Committee on Agriculture.

**Assembly Bill No. 2535**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Referred to Committee on Agriculture.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY, CALIFORNIA LEGISLATURE  
March 17, 1953

*Mr. Joseph A. Beek  
Secretary to the Senate  
State Capitol  
Sacramento 14, California*

DEAR MR. BEEK: The Assembly has instructed me to request the Senate to return Assembly Bill No. 1908 to this House for further consideration.

Very truly yours,

ARTHUR A. OHNIMUS

#### Motion to Return Assembly Bill No. 1908 to Assembly

Senator Powers moved that Assembly Bill No. 1908 be returned to the Assembly for further consideration pursuant to their request.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 242	Senate Bill No. 1021
Senate Bill No. 243	Senate Bill No. 1068
Senate Bill No. 284	Senate Bill No. 1215
Senate Bill No. 393	Senate Bill No. 1219
Senate Bill No. 497	Senate Bill No. 1531
Senate Bill No. 649	Senate Bill No. 1648
Senate Bill No. 823	Senate Bill No. 1649
Senate Bill No. 825	Senate Bill No. 1216

Senate Constitutional Amendment No. 8

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 34**—Relative to delivery of electric power from Central Valley Project facilities;

**Senate Concurrent Resolution No. 50**—Relative to the passing of the Honorable Jesse M. Mayo;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighteenth day of March, 1953, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 244**—An act to amend Section 5061 of the Penal Code, relating to the payment of burial expenses and charges related thereto of persons confined in any state institution subject to the jurisdiction of the Director of Corrections;

**Senate Bill No. 293**—An act to amend Section 809 of the Agricultural Code, relating to walnut standards;

**Senate Bill No. 480**—An act to amend Section 961 of the Agricultural Code, relating to seed potato certification;

**Senate Bill No. 482**—An act to amend Section 793 of the Agricultural Code, relating to standards for berries;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of March, 1953, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 313

Senate Bill No. 374

Senate Bill No. 650

Senate Bill No. 820

Senate Bill No. 951

Senate Bill No. 963

Senate Bill No. 1220

Senate Bill No. 1713

Senate Bill No. 1800

Senate Bill No. 648

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 888

Senate Bill No. 1876

And reports the same correctly re-engrossed.

POWERS, Chairman

#### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 628

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 52

Senate Bill No. 71

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

PARKMAN, Chairman

Above reported bills ordered to second reading.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 186 and Assembly Bill No. 921 carry an appropriation.

The President ordered Senate Bill No. 186 and Assembly Bill No. 921 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 1462**—An act relating to protection of quality of underground waters, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1 of the printed bill, in lines 16 to 18, inclusive, strike out " through the construction of an experimental barrier in Mission Bay of the San Luis Rey River Valley, San Diego County".

**Amendment No. 2**

On page 1, line 25, of said bill, strike out "on a cost plus basis, or otherwise", and insert "with the approval of the Department of Finance".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 97**—An act to add Chapter 7 to Part 5 of Division 3 of Title 5 of the Government Code, relating to contracts between community service districts and the Federal Government.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "cooperation," insert "to the extent that it is consistent with state law,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1652**—An act to amend Section 20911 of the Water Code, relating to irrigation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Water Resources:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "election", insert ", as determined by the county clerk,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1603**—An act to add Section 1552.45 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1604**—An act to amend Section 1508 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after the period add "Aid shall not be granted unless the stepfather joins in the application and furnishes information concerning his income and expenses."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 252**—An act to add Section 10854.1 to the Revenue and Taxation Code, to add Section 378.1 to the Vehicle Code, and to add Section 9.5 to Chapter 788 of the Statutes of 1937, relating to motor vehicle fees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "The fee and any penalty may be paid in the form of a check payable to the department".

**Amendment No. 2**

On page 1, line 4, of said bill, after "check", insert "in payment of a fee or penalty".

**Amendment No. 3**

On page 1, line 5, of said bill, strike out "either".

**Amendment No. 4**

On page 1, line 5, of said bill, strike out "or second".

**Amendment No. 5**

On page 1, line 7, of said bill, after "fee", insert ", or fee".

**Amendment No. 6**

On page 1, line 8, of said bill, after the period, insert "The department in its discretion may redeposit a check in payment of fee or fee and penalty the second time without assessing additional penalties."

**Amendment No. 7**

On page 1, of said bill, on line 10, strike out "Payable", and insert "Paid".

**Amendment No. 8**

On page 1, lines 10, 11, and 12, of said bill, strike out "Any fee and any penalty required by this code may be paid in the form of a check payable to the department."

**Amendment No. 9**

On page 1, line 12, of said bill, after "check", insert "in payment of a fee or penalty".

**Amendment No. 10**

On page 1, line 13, of said bill, strike out "either".

**Amendment No. 11**

On page 1, line 13, of said bill, strike out "or second".

**Amendment No. 12**

On page 1, of said bill, between lines 15 and 16, insert "The department in its discretion may redeposit a check in payment of fee or fee and penalty the second time without assessing additional penalties."

**Amendment No. 13**

On page 1, line 14, of said bill, after "fee", insert ", or fee".

**Amendment No. 14**

On page 1, lines 18, 19, and 20, of said bill, strike out "Permit fees and penalties provided by this act may be paid in the form of checks payable to the Motor Vehicle Department", and insert "Liability of person tendering check not paid by the bank for fees and penalties".

**Amendment No. 15**

On page 1, line 20, of said bill, after "check", insert "in payment of a fee or penalty".

**Amendment No. 16**

On page 1, line 21, of said bill, strike out "either" and "or second".

**Amendment No. 17**

On page 1, line 22, of said bill, after "fee", insert ", or fee".

**Amendment No. 18**

On page 1, of said bill, between lines 23 and 24, insert "The department in its discretion may redeposit a check in payment of fee or fee and penalty the second time without assessing additional penalties."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1153**—An act to amend Section 30210 of the Streets and Highways Code, relating to the signatures on bonds issued by the California Toll Bridge Authority.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1217**—An act to amend Section 476a of the Penal Code, relating to the punishment of making or uttering fictitious checks.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 16, of the printed bill as introduced in Senate January 16, 1953, after "such", insert "check or".

**Amendment No. 2**

On page 1, line 16, of said bill, after "checks", insert "does not exceed".

**Amendment No. 3**

On page 1, line 16, of said bill, strike out "involve".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 321**—An act to amend Section 1 of Chapter 12 of the Statutes of 1950, Third Extraordinary Session, relating to elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1903**—An act to codify Chapter 290, Statutes of 1909, relating to warehouse receipts, by adding Article 3B, comprising Sections 1858.01 to 1858.85, inclusive, to Chapter 2, Title 3, Part 4, Division 3 of the Civil Code, and by repealing Chapter 290 of the Statutes of 1909.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1948**—An act to codify certain acts, relating to the organization, powers, duties, and regulation of public utilities and publicly owned utilities, by adding Chapter 3 to Part 2, Division 1 of the Public Utilities Code; by adding Division 7 to said code; and by repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1920**—An act to codify Chapter 377 of the Statutes of 1923 by repealing said chapter and adding Section 330.26 to the Civil Code, relating to water stock certificates.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 44**—An act to amend Section 2507 of the Welfare and Institutions Code, relating to the case histories of recipients of indigent aid.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 569**—An act to amend Section 123 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1882**—An act to codify certain statutes, relating to vehicles and vehicular traffic, by adding Chapter 10 to Division 3 of, and Sections 334.1, 586.05 and 804 to, the Vehicle Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

### UNFINISHED BUSINESS

#### Consideration of Assembly Amendments

**Senate Bill No. 1226**—An act to add Section 3300.45 to the Health and Safety Code, relating to the payment of burial expenses of tuberculosis patients in institutions subject to the jurisdiction of the Department of Corrections.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1226?

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "3300.6", and insert "3300.45".

#### Amendment No. 2

On page 1, line 1, of said bill, strike out "3300.6", and insert "3300.45".

#### Amendment No. 3

On page 1, line 3, of said bill, strike out "3300.6", and insert "3300.45".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1226 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—26.

**NOES**—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 1437**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1437?

#### Amendment No. 1

On page 1, line 21, of the printed bill, as amended in Senate February 26, 1953, strike out the period, and insert "which must be reduced to writing within twenty-four (24) hours, by the pharmacist. The address, name, telephone and registered number of the physician must be recorded on the prescription."

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 1437 by the following vote:

**AYES**—Senator Grunsky—1.

**NOES**—Senators Abshire, Berry, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, and Weybret—22.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE

**MR. PRESIDENT:** The Committee on Rules announces the appointment of Senators Kraft, Grunsky, and Thompson as a Senate Committee on Conference concerning Senate Bill No. 1437 to meet a like committee of the Assembly.

**SENATE COMMITTEE ON RULES**  
POWERS, Chairman

Chief Assistant Secretary Cleve V. Taylor at the Desk

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 199**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

#### MOTION TO RE-REFER SENATE BILL NO. 199

Senator Byrne moved that Senate Bill No. 199 be re-referred to Committee on Business and Professions.

Motion carried.

**Senate Concurrent Resolution No. 31**—Relating to fire protection districts.

Resolution read.

#### Motion to Amend

Senator Regan moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, of the printed measure, strike out lines 19 through 26, inclusive, and insert "*bly thereof concurring*, That the Legislative Counsel is authorized and directed to ascertain, study and analyze the laws relating to the formation and maintenance of fire protection districts, and to prepare a report outlining the changes deemed necessary through consolidation or amendment of existing laws to make them more workable and shall submit a report of his findings with recommendations to the Legislature not later than the fifteenth day of the 1955 Regular Session of the Legislature:

*Resolved, further*, That the State Fire Marshal and the State Fire Advisory Board are requested to render full information and assistance in connection with such study, and the State Fire Marshal is requested to report to the 1955 Legislature not later than the fifteenth day after the constitutional recess his recommendations as to changes not covered by the report of the Legislative Counsel."

##### Amendment No. 2

On page 2 of said bill, strike out lines 1 through 4, inclusive.

Amendments read, and adopted.

Resolution ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 148**—An act to amend Section 14075 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1876**—An act to add Section 11537 to the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1648**—An act to add Section 463 to the Public Utilities Code, relating to contracts to transmit electric power developed by facilities of the Central Valley Project.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1068**—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts.

Bill read third time.

#### Motion to Amend

Senator Williams moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "Preparation of Plans and Specifications, Estimate of Cost, and Statement of Apportionment."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1649**—An act to add Section 1253.5 to the Water Code, relating to the appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—Senator O'Gara—1.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.54 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 497**—An act to amend Sections 35401 and 35626 of the Water Code, relating to powers of water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 888**—An act to amend Sections 24503 and 24504 of the Education Code, all relating to first aid equipment for schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1800**—An act to add Section 190 to the Military and Veterans Code, relating to armories.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—30.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

**Motion to Amend Title**

Senator Hoffman moved the adoption of the following amendment to the title of Senate Bill No. 1800:

**Amendment No. 1**

In the title of the printed bill after the word "armories", strike out the period, and insert " , declaring the urgency thereof to take effect immediately."

Amendment read, and adopted.

Senate Bill No. 1800 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 823**—An act to amend Sections 16, 215, 225, 228, 232, 236, 238, 256, 269, 326, 431, and 644 of the Military and Veterans Code, relating to the military forces of the State, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote: .

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—29.

NOES—None.

**Motion to Amend Title**

Senator Sutton, moved the adoption of the following amendment to the title of Senate Bill No. 823:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate February 27, 1953, strike out "326, 431 and 644 of", and insert "431, and 644 of, and to add Section 326 to,".

Amendment read, and adopted.

Senate Bill No. 823 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 825**—An act to amend Sections 502, 502.1, 502.2, 503, 504, 506, 509, 512, 513, 515 and 520.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1021**—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 374**—An act to add Sections 10214 and 10270.65 to the Insurance Code, relating to group insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Call of the Senate

Senator Byrne moved a call of the Senate.

Motion carried. Time, 3.20 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 648**—An act to add Section 12300.3 to the Financial Code, relating to trust accounts for licensees under the Check Sellers and Cashers Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Senator Byrne Presiding

At 3.25 p.m., Senator Paul L. Byrne of the Sixth District, presiding.

**Senate Bill No. 650**—An act to add Sections 12301.2 and 12301.3 to, and amend Section 12200 of, the Financial Code, relating to the sale of checks, drafts, or money orders by licensees under the Check Sellers and Cashers Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Ward, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1713**—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

Bill read third time.



**Motion to Amend**

Senator McBride moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 27, of the printed bill as amended in Senate March 17, 1953, strike out "(e)", and insert "(d)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Secretary J. A. Beek at the Desk**

**Senate Bill No. 649**—An act to amend Sections 12214, 12217, 12218, 12220, 12222, and 12301 of the Financial Code, relating to the Check Sellers and Cashers Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 951**—An act to add Section 1176.7 to the Insurance Code, relating to the authority of insurers to take purchase money mortgages or deeds of trust.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 313**—An act to add Sections 1469 and 1470 to the Civil Code, relating to covenants in leases affecting contiguous real property.

Bill read third time.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 20, of the printed bill, as amended in Senate March 17, 1953, strike out "executed, acknowledged and".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1220**—An act to amend Section 18 of the Penal Code, relating to punishment of felony when not otherwise prescribed.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 393**—An act to amend Sections 6140 and 6141 of the Business and Professions Code, relating to membership fees in the State Bar.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 242**—An act to amend Section 2601 of the Penal Code, relating to the right of inheritance of persons sentenced to imprisonment in the state prison for life.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 243**—An act to amend Section 664 of the Penal Code, relating to the punishment of persons for attempted crimes.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.38 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 284**—An act to amend Section 710 of the Code of Civil Procedure, relating to the enforcement of judgments against debtors to whom money is owed by public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1215**—An act to amend Section 489 of the Penal Code, relating to the punishment of grand theft.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1216**—An act to amend Section 4532 of the Penal Code, relating to the punishment of escapes from jail, industrial farm, road camp or custody of officer.

Bill read third time.

#### Motion to Amend

Senator Byrne moved the adoption of the following amendments :

#### Amendment No. 1

In lines 3 and 4 of the printed bill, strike out "felony or".

#### Amendment No. 2

After line 19 of the printed bill, insert "Every prisoner charged with or convicted of a felony who is confined in any county or city jail or prison or industrial farm or industrial road camp or who is engaged on any county road or other county work or who is in the lawful custody of any officer or person, who escapes or attempts to escape from such county or city jail, prison, industrial farm or industrial road camp or from the custody of the officer or person in charge of him while engaged on or going to or returning from such county work or from the custody of any officer or person in whose lawful custody he is, is guilty of a felony and is punishable by imprisonment in the state prison not exceeding 10 years, or in the county jail not exceeding one year; provided, that when said second term of imprisonment is to be served in the county jail it shall commence from the time such prisoner would otherwise have been discharged from said jail."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1219**—An act to add Section 18b to the Penal Code, relating to the minimum punishment for felony.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

#### President of the Senate Presiding

At 4.07 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1898**—An act to codify certain acts, relating to military affairs and veterans' affairs, aid and welfare, by adding Section 1509.5 to the Military and Veterans Code; Chapters 2 and 3 to Division 7 of said code, and Division 8 to said code; and by repealing certain acts and sections specified herein.

Bill read third time, and presented by Senator Sutton.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1330**—An act to repeal Section 1708.5 of the Insurance Code, relating to life insurance agents.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 522**—An act to amend Section 1803 of the Insurance Code, relating to bail solicitors' licenses.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1328**—An act to amend Section 802 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1329**—An act to amend Sections 1708, 1711, and 1713 of, and to add Section 1713.7 to, the Insurance Code, all relating to life insurance agents.

Bill read third time, and presented by Senator Grunsky.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 520**—An act to amend Section 1677 of the Insurance Code, relating to certificates of convenience to act as insurance agent or solicitor.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 521**—An act to amend Section 1731 of the Insurance Code, relating to insurance licenses.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1340**—An act to amend Sections 1679.2, 1706.9, 1706.95 and 1709.2 of, and to add Sections 1643.5 and 1705.6 to, the Insurance Code, all relating to insurance production agencies.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1331**—An act to add Section 1734 to the Insurance Code, relating to insurance licenses.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Assembly Bill No. 1332**—An act to amend Section 1802.6 of the Insurance Code, relating to bail licenses.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1333**—An act to repeal Chapter 4, Part 1, Division 2, Chapter 7, Part 2, Division 2, Chapter 8, Part 2, Division 2 and Chapter 5, Part 3, Division 2 of the Insurance Code, relating to insurers.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1334**—An act to amend Section 11069 of the Insurance Code, relating to fraternal benefit societies.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1336**—An act to amend Section 10209 of the Insurance Code, relating to group life insurance.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1337**—An act to amend Section 32 of the Insurance Code, relating to life insurance agents.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1338**—An act to amend Sections 1645, 1648.3, 1648.6 and 1659 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1339**—An act to amend Section 1720 of the Insurance Code, relating to life insurance analysts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1918**—An act to codify certain statutes, relating to the use of property for unlawful purposes and the abatement thereof, by adding Chapter 3 to Title 1 of Part 4 of the Penal Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1919**—An act to codify certain statutes, relating to the control of deadly weapons by adding Title 2 to Part 4 of the Penal Code, and by repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1921**—An act to codify certain acts, relating to rights in property and duties with respect thereto, by adding Sections 841.4, 2811, 3090.5, and 3342 to the Civil Code; Chapter 2.5, comprising Sections 730 to 730.15, inclusive, to Title 2 of Part 1 of Division 2 of said code; Article 36, comprising Sections 1858.90 to 1858.93, inclusive, to

Chapter 2 of Title 3 of Part 4 of Division 3 of said code; and by repealing certain acts specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

#### Motion to Amend Title

Senator Tenney, moved the adoption of the following amendment to the title of Assembly Bill No. 1921:

#### Amendment No. 1

In line 5 of the title of the printed bill, strike out "36", and insert "3c".

Amendment read, and adopted.

Assembly Bill No. 1921 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 1922**—An act to codify certain acts, relating to civil actions and procedures, by adding Sections 410.1, 663.1, 663.2, 730, 731b, 1238.5, 1266.2, and 1855b to the Code of Civil Procedure; Chapter 3.5, comprising Sections 751.01 to 751.28, inclusive, Chapter 7, comprising Sections 830 to 836, inclusive, Chapter 8, comprising Sections 850 to 856, inclusive, to Title 10 of Part 2 of said code; Chapter 5, comprising Section 1208.61 to 1208.70, inclusive, to Title 4 of Part 3 of said code; Title 10b, comprising Sections 1700 to 1706, inclusive, to Part 3 of said code; Article 2.1, comprising Sections 1928.1 to 1928.4, inclusive, and Article 4, comprising Sections 1953 to 1953.06, inclusive, to Chapter 3 of Title 2 of Part 4 of said code; and by repealing certain acts specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1280**—An act to amend Section 6101 of the Business and Professions Code, relating to disbarment or suspension of attorneys.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 1871**—An act to codify Chapter 371 of the Statutes of 1909, Chapter 19 of the Statutes of 1893, Chapter 34 of the Statutes of 1941, and Chapter 369 of the Statutes of 1921, relating to the regulation of private business, business transactions and licensed professions by adding Sections 7401, 16104, and 30046 to, and Chapter 4 to Part 2, Division 4, and Chapter 2.5 to Part 2, Division 7 of, the Business and Professions Code, and repealing acts and parts of acts specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1894**—An act to codify a statute relating to enforcement in this State of the Fair Labor Standards Act of 1938, by adding Section 50.6 to the Labor Code and by repealing Chapter 44 of the Statutes of 1939.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Regan, Tenney, Thompson, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1910**—An act to codify Chapter 644 of the Statutes of 1865-1866, relating to competency of witnesses in criminal proceedings, by adding Section 1323.5 to the Penal Code, and repealing Chapter 644 of the Statutes of 1865-1866.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Regan, Tenney, Thompson, Way, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1911**—An act to codify certain acts, relating to the disposition of evidence subsequent to criminal cases, by adding Chapter 13 to Title 10 of Part 2 of the Penal Code, and repealing certain acts specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Parkman, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1912**—An act to codify Chapter 164 of the Statutes of 1917, relating to institution-made goods, by adding Article 2 to Chapter 1 of Title 14 of Part 2 of the Penal Code, and repealing Chapter 164 of the Statutes of 1917.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1913**—An act to codify certain statutes, relating to the parole of prisoners, by amending Section 3001 of, by adding Article 3.5 to Chapter 8 of Title 1 of Part 3 of, and by adding Article 3 to Chapter 2 of Title 1 of Part 4 of, the Penal Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 548, 549, AND 658

Senator Weybret moved that Senate Bills Nos. 548, 549, and 658 be withdrawn from Committee on Finance, and re-referred to Committee on Agriculture.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1953

**MR. PRESIDENT:** The Committee on Rules to which was referred the Message from the Governor dated March 12, 1953, appointing

SHERMAN W. McDONALD, to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1957;

JAMES WELSH, to the Industrial Accident Commission, vice Everett A. Corten, resigned, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration and respectfully reports the same back and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

#### CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

##### Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Sherman W. McDonald and James Welsh as members of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Sherman W. McDonald and James Welsh?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

#### **Appointments Confirmed**

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Sherman W. McDonald and James Welsh as members of the Industrial Accident Commission.

#### **PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Grunsky:

##### **Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 414.5 to the Vehicle Code, relating to insurance requirements for passenger carrying vehicles.

Respectfully submitted,

SENATOR GRUNSKY

##### **Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 18, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

#### **INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 1945:** By Senator Grunsky—An act to add Section 414.5 to the Vehicle Code, relating to insurance requirements for passenger carrying vehicles.

Referred to Committee on Transportation.

**Senate Joint Resolution No. 27:** By Senators Collier and Powers—Relative to the reclamation of arable land in the Lower Klamath Lake area.

Referred to Committee on Rules.

#### **FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH**

At 5.14 p.m., on motion of Senator Byrne, further proceedings under the call of the Senate were dispensed with.

## LETTER OF TRANSMITTAL

SENATE CHAMBER, SACRAMENTO, March 18, 1953

*Hon. Goodwin J. Knight, President  
and the Members of the Senate*

GENTLEMEN: Pursuant to Senate Resolution No. 213, of the 1951 Regular Session, your interim committee transmits herewith its report on findings and recommendations pertaining to the regulation of highway carriers in the State of California.

This committee was created to look into the question of any need for remedial legislation in this field because of the many bills introduced having as their purpose the amendment of the present statutory provisions relating to highway carriers. The conduct of this study and investigation has proven to the members of this committee that there are wide areas of conflict on this subject with many divergent viewpoints from the many interested groups in the industry.

It is believed that this report will demonstrate to the Senate that there is a need for some legislative revision in the industry and we sincerely believe that the recommendations contained in this report will go far to correct those things which need correction and to clarify those areas needing clarification.

Respectfully submitted,

JAMES E. CUNNINGHAM, Chairman  
HUGH M. BURNS, Vice-Chairman  
HAROLD T. JOHNSON  
EDWIN J. REGAN  
CLYDE A. WATSON

## MOTION TO PRINT REPORT

Senator Cunningham moved that the letter of transmittal be printed in the Journal, and the report submitted by the Senate Interim Committee on Regulation of Highway Carriers be printed in the Appendix to the Journal, and 500 additional copies be printed for distribution.

Motion carried.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 837

Senator Dilworth moved that Senate Bill No. 837 be withdrawn from Committee on Water Resources for purpose of amendment, and referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 837**—An act to amend Section 27 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), relating to municipal water districts.

Bill read second time.

## Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert "s 24 and".

## Amendment No. 2

On page 1, line 1, of said bill, strike out "27", and insert "24".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert  
"Sec. 24. The board of directors shall determine the amounts necessary to be raised by taxation during the fiscal year and shall fix the rate or rates of tax to be



levied which will raise the amounts of money required by the district, and within a reasonable time previous to the time when the board of supervisors is required by law to fix its tax rate, the board of directors shall certify to the board of supervisors the rate or rates so fixed and shall furnish to the board of supervisors a statement in writing containing the following: (a) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for the payment of the principal of and interest on any bonded debt of the district or of an improvement district thereof as it becomes due; (b) a description of the improvement district benefited by the purposes of the bonded debt as stated in the resolution declaring the necessity to incur the bonded indebtedness, or, if the whole district was benefited by incurring [it] *the bonded indebtedness*, a statement of such fact; (c) *a description of any noncontiguous area annexed to the district which was declared in the ordinance fixing the terms and conditions of such annexation to be exempt from taxation to pay the principal of and interest on all or any portion of the bonded indebtedness of the district;* (d) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for all other purposes of the district. The board of directors shall direct that at the time and in the manner required by law for the levying of taxes for county purposes, such board of supervisors shall levy, in addition to such other tax as may be levied by such board of supervisors, at the rate or rates so fixed and determined by the board of directors, a tax upon the property within the district, or *within any improvement district thereof benefited by the bonded debt, or within any annexed area the taxable property in which is exempt from taxation to pay the principal of and interest on all or any portion of the bonded debt of the district*, as the case may be, and it is made the duty of the officer or body having authority to levy taxes within each county to levy the tax so required. Taxes for the payment of the interest on or principal of any bonded debt shall be levied on the property within the district, or improvement district thereof, benefited by the bonded debt, as determined by the board of directors in the resolution declaring the necessity to incur the debt; *unless such resolution of necessity shall have declared that only a portion of the district would be benefited by the accomplishment of the purpose stated in said resolution, all taxes for the payment of the interest on or principal of such bonded debt shall be levied on the property in all annexed areas of the district except to the extent that the taxable property in any such annexed area shall be exempt from such taxation in accordance with the terms and conditions of the respective annexation.* Taxes for other purposes of the district shall be levied on all property in the district or portion thereof subject to the particular tax. And it shall be the duty of all county officers charged with the duty of collecting taxes to collect such tax in time, form, and manner as county taxes are collected, and when collected to pay the same to the district. Taxes for the payment of a bonded debt and the interest thereon shall be a lien on all the property benefited thereby as stated in the resolution of the board of directors declaring the necessity to incur the debt; *unless such resolution of necessity shall have declared that only a portion of the district would be benefited by the accomplishment of the purpose stated in said resolution, all taxes for the payment of such bonded debt and the interest thereon shall be a lien on the property in all annexed areas of the district except to the extent that the taxable property in any such annexed area shall be exempt from such taxation in accordance with the terms and conditions of the respective annexation.* All taxes for other purposes of the district shall be a lien on all the property in the district subject to the respective tax. District taxes, whether for payment of a bonded indebtedness and the interest thereon or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

SEC. 2. Section 27 of the Municipal Water District Act of 1911 is amended to read:

#### Amendment No. 4

On page 3, line 11, of said bill, strike out "Such terms and conditions also", and insert "In the event the area to be annexed is noncontiguous to the existing district, such terms and conditions also may provide for exemption of the taxable property in the area to be annexed from taxation to pay the principal of and interest on all or any portion of the authorized or outstanding bonded indebtedness of the district, if in the opinion of the board of directors of the district the purposes of said bonded debt will not benefit the area to be annexed. In such event, the ordinance setting forth the conditions of annexation shall contain: (a) a finding that the area to be annexed is noncontiguous to the existing district; (b) a statement identifying such portion of the bonded indebtedness theretofore authorized or outstanding, the purposes of which will not benefit the area to be annexed; and (c) a statement declaring that the taxable property in the area to be annexed shall be exempt from taxation to pay the principal of and interest on said portion of the authorized or outstanding bonded indebtedness of the district."

#### Amendment No. 5

On page 3 of said bill, strike out lines 12 to 22, inclusive, and in line 23, strike out "Section 24 of this act."

**Amendment No. 6**

On page 4 of said bill, between lines 11 and 12, insert "(unless otherwise provided in the terms and conditions upon which such annexation shall have occurred)".

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1770**

Senator Kraft moved that Senate Bill No. 1770 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1770**—An act to repeal Chapter 1, comprising Sections 1200 to 1251, inclusive, of Division 2 of the Health and Safety Code and to add Chapter 1 comprising, Sections 1200 to 1237, inclusive, to Division 2 of said code, relating to the regulation and licensing of clinics and dispensaries.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 22, of the printed bill, strike out "medicines, drugs,".

**Amendment No. 2**

On page 2, line 13, of said bill, strike out "or religious,".

**Amendment No. 3**

On page 2, line 46, of said bill, after "dentistry", insert a comma; and after "optometry", strike out the period, and insert "or pharmacy."

**Amendment No. 4**

On page 2, line 48, of said bill, after "surgery," insert "pharmacy,".

**Amendment No. 5**

On page 3, line 1, of said bill, after "surgery," insert "pharmacy,".

**Amendment No. 6**

On page 5, line 46, of said bill, after "act", insert ", and regulations issued thereunder,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 777**

Senator Brown moved that Senate Bill No. 777 be withdrawn from Committee on Public Health and Safety for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 777**—An act to add Section 1157 to the Health and Safety Code, relating to local public health administration.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 3, and insert "1157. In lieu of any other provisions of this chapter, upon request of the board of supervisors of any county of less than 40,000 population and upon the appropriation for public health purposes by such county of a sum of not less than 55 cents per capita for the total county population, the State Department of Public Health may organize and operate a local public health service in such county. The State Department of Public Health may conduct such local public health service either directly, or by contract with other agencies, or by some combination of these methods as may be agreed upon by the State Department of Public Health and the board of supervisors of the county concerned. The creation of a county board of public health or a similar local advisory group shall be at the discretion of the board of supervisors. The state financial assistance which is appropriated for public health services in counties which have not qualified or do not elect to qualify for such funds under other provisions of this chapter, is hereby made available to the State Department of Public Health for such purposes."

**Amendment No. 2**

On page 1, strike out lines 4 to 18, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1694**

Senator Hatfield moved that Senate Bill No. 1694 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1694**—An act to repeal Chapter 3 of Division 3 and to add Chapter 3 to Division 3, of the Health and Safety Code, relating to the control of rabies in dogs.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 20 and 21, of the printed bill, strike out "under the coordination and general supervision of the State Department of Public Health".

**Amendment No. 2**

On page 2, lines 5, 6, and 7, of said bill, strike out "any dog required by this chapter to wear an official vaccination tag which is found without such tag,".

**Amendment No. 3**

On page 2 of said bill, strike out lines 9 to 12, inclusive.

**Amendment No. 4**

On page 2, line 13, of said bill, strike out "1905", and insert "1904".

**Amendment No. 5**

On page 2, line 17, of said bill, strike out "1906", and insert "1905".

**Amendment No. 6**

On page 2, line 21, of said bill, strike out "1907", and insert "1906".

**Amendment No. 7**

On page 2, line 26, of said bill, strike out "1908", and insert "1907".

**Amendment No. 8**

On page 2, line 29, of said bill, after "or the", insert "State".

**Amendment No. 9**

On page 2 of said bill, strike out lines 30 to 33, inclusive, and insert "1908. "Rabies endemic area" shall mean any area where the existence of rabies constitutes a public health hazard, as declared by the State Department of Public Health, after proper investigation by a committee of affected groups appointed by the director to serve without compensation."

**Amendment No. 10**

On page 2, line 34, of said bill, strike out "1910", and insert "1909".

**Amendment No. 11**

On page 2 of said bill, strike out lines 39 and 40.

**Amendment No. 12**

On page 2, line 41, of said bill, strike out "b", and insert "a".

**Amendment No. 13**

On page 2, line 43, of said bill, strike out "c", and insert "b".

**Amendment No. 14**

On page 2, line 44, of said bill, strike out "1911", and insert "1910".

**Amendment No. 15**

On page 2, line 46, of said bill, strike out "corporations", and insert "any person or with any corporation".

**Amendment No. 16**

On page 3, line 1, of said bill, strike out "1912", and insert "1911".

**Amendment No. 17**

On page 3, line 5, of said bill, strike out "1913", and insert "1912".

**Amendment No. 18**

On page 3, line 11, of said bill, strike out "tag".

**Amendment No. 19**

On page 3, line 12, of said bill, strike out "identification".

**Amendment No. 20**

On page 3, line 15, of said bill, strike out "1914", and insert "1913".

**Amendment No. 21**

On page 3, lines 22, 23, and 24, of said bill, strike out " , unless his dog is kept in a kennel licensed under the provisions of this chapter".

**Amendment No. 22**

On page 3, line 24, of said bill, after the period, insert "License fees shall be fixed by the responsible local governmental body."

**Amendment No. 23**

On page 3, line 25, of said bill, before "Every", insert "In rabies endemic areas,".

**Amendment No. 24**

On page 3, line 26, of said bill, strike out "annually or at such other", and insert "at such".

**Amendment No. 25**

On page 3, line 28, of said bill, strike out "or under the direction of a veterinarian".

**Amendment No. 26**

On page 3, line 30, of said bill, after "the", insert "State".

**Amendment No. 27**

On page 3, lines 31 and 32, of said bill, strike out "Vaccination shall be held a prerequisite to licensing for dogs to be allowed at large."

**Amendment No. 28**

On page 3, line 33, of said bill, strike out "annually".

**Amendment No. 29**

On page 3 of said bill, strike out lines 38 to 52, inclusive.

**Amendment No. 30**

On page 4 of said bill, strike out lines 1 to 9, inclusive.



**Amendment No. 31**

On page 4, line 10, of said bill, strike out "1926", and insert "1923".

**Amendment No. 32**

On page 4, line 18, of said bill, strike out "Such".

**Amendment No. 33**

On page 4 of said bill, strike out lines 19 to 30, inclusive.

**Amendment No. 34**

On page 4, line 34, of said bill, strike out "herein provided", and insert "provided by local ordinance".

**Amendment No. 35**

On page 4 of said bill, strike out lines 35 to 46, inclusive.

**Amendment No. 36**

On page 4, line 47, of said bill, strike out "1953." and insert "1952. In rabies endemic areas,".

**Amendment No. 37**

On page 4 of said bill, strike out lines 50 to 52, inclusive, and on page 5, strike out lines 1 to 13, inclusive.

**Amendment No. 38**

On page 5, line 22, of said bill, strike out "or suspected rabid animal", and insert "animal or animal suspected of being rabid".

**Amendment No. 39**

On page 5, line 27, of said bill, strike out "or suspected rabid animal", and insert "animal or animal suspected of being rabid".

**Amendment No. 40**

On page 5, lines 29 and 30, of said bill, strike out "Department of Public Health", and insert "department".

**Amendment No. 41**

On page 6 of said bill, strike out lines 4 to 6, inclusive, and insert "1978. If this further investigation indicates that rabies exists sufficiently and constitutes such a hazard that quarantine measures are necessary for the protection of the public health and welfare, the local health officer shall issue a quarantine designating the animal species and specifying the area affected."

**Amendment No. 42**

On page 6, lines 39, 40, and 41, of said bill, strike out "every local health officer shall be the local control authority responsible for the administration of the local rabies control program, except that".

**Amendment No. 43**

On page 6, lines 42, 43, and 44, of said bill, strike out "if it determines not to use the local health officer as the local rabies control administrator, shall designate some other", and insert "shall designate some".

**Amendment No. 44**

On page 7, line 1, of said bill, after "dog" insert "without care".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**REPORTS OF STANDING COMMITTEES**

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 781

Assembly Bill No. 39

Senate Bill No. 882

Assembly Bill No. 1884

Senate Bill No. 1834

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 17, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 833

Senate Bill No. 1425

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## Committee on Business and Professions

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 880

Senate Bill No. 1349

Senate Bill No. 881

Senate Bill No. 1403

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 196

Assembly Bill No. 1373

Senate Bill No. 476

Assembly Bill No. 1377

Senate Bill No. 1346

Assembly Bill No. 1383

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bills ordered to second reading.

## Committee on Local Government

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 7

Senate Bill No. 202

Senate Bill No. 8

Senate Bill No. 1131

Senate Bill No. 134

Assembly Bill No. 2228

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1329

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 87

Senate Bill No. 1060

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 556

Senate Bill No. 721

Senate Bill No. 854

Senate Bill No. 1180

Assembly Bill No. 215

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 3034

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 5.20 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Thursday, March 19, 1953.

JOHN F. LEA, Minute Clerk





## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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TWENTY-NINTH LEGISLATIVE DAY

THIRTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Thursday, March 19, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

Prayer was offered by Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day with unanimously extended to Miss Mildred Robsen of Mill Valley.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. C. Swartz and C. W. TeWinkle of Costa Mesa.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Richard Barnes of Davis.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mr. Matsler, Assistant Superintendent Angelo Milani, Mothers Mrs. E. J. Fry, Mrs. A. E. Parker, and the following students of the Senior Elementary School at Tracy: Jerry Deaver, Johnny Flores, James McCarthy, Harold Mitchell, Tom Noakes, Lewis Pegg, Gene Peoples, William Phillips, Tom Prock, Rudy Quintana, Ronnie Raymond, Stanley Reich, John Richlin, Ivan Tinder, Donald Tisher, Glen Toon, Joe Villalovo, Billy Wofford, Jimmy Womack, Simon Ramirez, Jerome Fry, Carlos Zaragoza, David Palacio, Mattie Harriell, Velma Marlow, Arlene McCurdy, Jacklyn McKasson, Betty McNaughton, Olive Nelms, Barbara Obert, Rachel Ortega, Carole Parker, Betty Peoples, Barbara Phelps, Lupe Plasencia, Pasqualina Portolese, and Evelyn Smith.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Floyd Howe of Coalinga.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul McCollum of San Pablo and Mayor Robert W. Pelletreau of the City of San Pablo.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Rossi of San Diego.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Dorothy Nandresy, John Barthen and the following students of the David D. Bohannon Elementary School, San Lorenzo: Brent Bangham, Jane Barnes, Richard Barr, Garry Bristow, Maureen Burke, Jean Davis, Joan Dexter, Janis Edwards, Bob Foster, Kathy Hemza, Sandra Hill, Dennis Hughes, Monetta Johnson, Rhoda Kritzer, David Lane, Patsy Leonard, Philip Lissor, James Lorentzen, Jean Mackin, Kenney Mancebo, Mary McNeil, Barbara Medrano, David Mumford, Harry Oakley, William Pence, Richard Shimada, Alex Soranno, Richard Stettler, Ronald Stettler, and Virginia Woodward.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Horace Miller, President of the Board of Trustees, Irrigation District, Blythe.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Albert Eaves, Jr., auditor, and William N. Hollister, supervisor of the Third District, both of Santa Barbara.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Coburn Cook, district attorney, and Loren Blakely, consulting engineer, both of Alpine County.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Instructor Roy Cortopassi and the following students of the Junior Class of Christian Brothers High School of Sacramento: David Arthur, Michael Banahan, Ralph Barsoty, Eugene Bencken, Thomas Bertain, Melvin Bolen, Richard Bordisso, Richard Braun, Richard Breverly, Jackson Brown, Richard Campodonico, Anthony Carolo, Charles Chatfield, Dennis Clements, Gerald Colbert, Lawrence Cook, Wayne Crawford, John Dahler, Frank Davis, Gomez Delgado, Kenneth DiBartolo, Bruce Douglas, William

Driscoll, Carl Dutra, Richard Dwyer, Michael Eberhard, William Erbacher, Albert Estacio, John Facino, Richard Fahey, Robert Ferry, Dennis Fischer, Francisco Flores, Patrick Ford, Carl Gilson, Carlo Giordano, George Gradt, Ian Grant, Harold Haag, John Hall, Lawrence Hannan, Kenneth Harris, Robert Hicks, David Higgins, Edward Hoefling, Julian Holt, Miguel Infesto, David Jesmer, Robert Jones, Lawrence Kelley, James Kerins, Richard Kirk, Francis Lastufka, James Lawson, Harry Leisk, George Lewis, John Lewis, Lawrence Lynch, James Macchiavelli, Stanley Machado, Marlo Martin, Victor Mikulin, Richard Moreno, John Mulligan, John McCaddon, Alexander McCormick, James McCoy, Richard Newfield, George Nilan, William Palazzini, Russell Parker, Richard Pelfanio, Edward Politowski, Dell Primasing, Robert Renier, Neil Rogers, Ralph Sabin, Daniel Sanchez, Thomas Santos, Philip Schumaker, Thomas Sekul, Francis Silvey, John Stagnaro, Ernest Stewart, Jerrold Sullivan, George Thomas, John Whalen, Richard Wilkins, Patrick Willard, William Winston, and Thomas Yamada.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Harold J. Powers, her mother, Mrs. Bennett, and Senator Powers' cousin, Mrs. McCullough all of Eagleville.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. F. Culver of Los Angeles and Miss Terry Atherton of Manhattan Beach.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. M. Featherly of Santa Ana.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Miss Keemer, Mr. Lageson, Mrs. Stowell, Mr. Archambault and Mrs. Gustin and the following students of the Pittsburg Junior High School: Henrietta Alfaro, Carmen Barriga, Rosanne Becker, John Buffo, Rose Calderone, John Cendejas, Richard Cervantes, Anita Davis, Jackson Davis, Robert Dearborn, Vincent Di Maggio, Richard Garcia, Morris Glover, Ernest Gutierrez, Ramona Gutierrez, Richard Hernandez, Sally Hernandez, Britt Hill, Genevieve Hinojosa, Kenneth Jenkins, Paul Kelly, Anthony Nicolosi, Frank Pareno, Jessie May Perkins, Virginia Quesada, Ernest Rincher, Johnnie Mae Starr, Ina Tennant, Leonard Thomas, Joan T. Walker, Frank Zolfo, Dan Ackerman, Patricia Atkinson, Rosine Belleci, Peter Carpino, Sharon Chevalier, Ann Click, Odessa Coston, Frances Crisenza, Diane Davis, Rose Bud Davis, Inez Ellis, Rudy Fernandez, Ivan Greathouse, Warren Hill, Elaine Isakson, Darrell Lee, Rey Martinez, Zenaida Masinas, Bobby Jean Moore, Vincent Mutulo, Beverly Paquin, Julia Rivas, Alec Rodella, John Sanchez, Andrea Tafoya, Marselino Vasquez, Joan Bruce Walker, Elizabeth Wallace, Ruth Watkins, Billy Weigle, Maurice Williams, Peter Zendejas, Ernest Aguilar, Clifford Burnham, Mary Capeto, Anthony Davi, Beverly De Stefano, Sal Di Mercurio, Edward Everett, William Fawthorp, George Frost, Annette Gaines, Katherine Gambee, Maude Dean Graham, Gerald Gray, Thelma Griggs, Gloria Grillo, Bernice Hahn, Ruth Ann Jensen, Paul Lopez, Emil Lozano, Fred Luevano, Gabriel Montes, Thomas Morgan, Donald Morris, John Ortega, Joe Ramirez, Myron Robb, Saul Rodriguez, Sally Sahli, Tommy Lee Stewart, Joseph Trezza,



Catherine Vasquez, Rolon Wilson, Alfred Aguilar, Roselle Aiello, Vincent Aiello, Tommy Beede, Anthony Belleci, Blanche Bradley, Gloria Carlson, George Clymens, Nick Culcasi, Mabelle Davis, Esther Herrera, Frank Inzerillo, Carole Johns, Ellen Katanic, Carol Killingsworth, Jackie Lamendola, Patsy Lane, Jesse Larks, Roy Lathrop, Eustolia Lujan, Alven Mabra, Christine Mitchuson, Celia Montes, Darlene Nelson, Harold Newman, Karen Nicol, Paul Orlando, Pat Rodrigues, Anthony Russo, Joan Villa, Joe Walker, and Sammy Whitlatch.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Captain L. A. Rasmussen of Oakland, Captain K. M. Graham and Captain A. H. Koshkan of San Francisco.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William Jefferds, teacher, and the following students of Pala School Eighth Grade class, San Jose: Lynne Berry, Sharon Boncher, Karen Brubaker, Marilyn Cherry, Gloria Drayton, Lani Forbes, Jean Forsea, Janice Kaufmann, Ramona Long, Beth Mobley, Pat Pavkov, Judy Perez, Cathy Podeyn, Toni Reeves, Linda Thompson, Diane Ulrich, Raul Alvarez, Butch Bieda, Louis Bonessa, David Buckland, Dave Crane, Lonny Christensen, Bob Cunningham, Lowell Damon, Allen Ehlman, Steve Erhart, Cliff Furlow, Bill Nishi, Ray Olmo, Chuck Osier, Bob Owen, George Parashis, Dave Purdy, Don Reid, Bob Sanchez, Steve Stevens, and George Trigueiro.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Dorothy Keck, Adults Mrs. Nettie Rohde, Mr. and Mrs. Maurice Smith, Mr. Charley Hanson, Miss Donna Graham and the following students of the Ceres School: Mary Ruth Arnold, Alma Bunch, Junior Carter, Ed Chancellor, Julia Curtis, Joe Davis, Gloria Dias, Marilyn Donovan, Jean Elson, Gerald Fisher, Frances Graziano, Junior Henson, Mary Henson, Lena Hickman, Donald Hicks, Carolyn Hoard, Maxine Holderman, Joan Johnson, Fred Josten, Kenneth Keathley, Marian La Rosa, Donald Lasiter, Steven Long, Leon McClure, Norman Mendoca, Bob Mullins, Beverley Muscio, Christine Newton, Larry Pound, Jerry Rhine, Ann Riddle, Seena Rohde, Richard Ryder, Jimmy Scudder, Rebecca Smathers, Jacqueline Smith, Louise Steadham, George Stefos, Louis Stites, and Prentist Woodard.

#### COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO, March 18, 1953

*Hon. J. A. Beek*  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, California*

MY DEAR MR. BEEK: On March 16, 1953, we submitted to the Senate certain data requested in Senate Resolution No. 78. In addition to the information submitted on March 16, the resolution requested that the Department of Public Works submit to the Senate suggestions for the correction of the deficiencies on the limited State Highway System that was submitted with our March 16 letter, together with suggestions for the correction of all of the deficiencies on the State Highway System, and the time and the revenue required.

It has been heretofore pointed out to the Legislature that the deficiencies on the State Highway System are in the most part lack of traffic capacity: an insufficient



number of traffic lanes to accommodate safely and in an orderly and expeditious manner the extremely heavy and increasing traffic load that the system is called upon to carry. This fact was made clear in both the deficiency report submitted to the Legislature in 1947 and in the report submitted to the Senate Interim Committee on Highways, Streets, and Bridges in January 1951.

Portions of the system are structurally inadequate to support the increasing tonnage load that is imposed upon the roadbed. This is particularly true with regard to a limited number of bridges. And specific sections are deficient because of the higher than average or ordinary accident pattern that prevails, this because of many factors; for example: inadequate sight distance, unexpected obstructions, conflicting traffic movements, and railroad grade crossings on high-speed, heavily-traveled routes. Traffic capacity, however, is the outstanding deficiency and is the condition that requires the major percentage of the necessary expenditures.

We submit herewith three tabulations, A, B, and C, showing by counties and by routes for rural and incorporated areas an estimate of the expenditures that will be required to correct these deficiencies. These estimates are based on current costs. Tabulation A includes the routes submitted on March 16 as a Mainline Highway System. Tabulation B shows the routes not included in that system, and Tabulation C contains like data for the entire system of state highways.

It is estimated at this time that there will be required an expenditure of \$3,315,000,000 to correct all the deficiencies on the State Highway System, \$2,421,000,000 on the Mainline System, and \$894,000,000 on the other routes not a part of the Mainline System.

These tabulations are a reappraisal and a re-evaluation of the deficiency report submitted January 16, 1951, printed as a Partial Report of the Senate Interim Committee on Highways, Streets, and Bridges. That report shows for the entire system the description of the portions of the routes that were deficient and the type of improvement that was proposed. This situation has not materially changed in the intervening two-year period.

In order to suggest to the Senate the time that should be allowed for correcting the deficiencies on the State Highway System, we have taken into consideration the time that is required for the necessary engineering work preparatory to starting construction, the time required for the acquisition and disposition of real property, the time required for the necessary construction work, and the impact of the necessary right of way clearance operations and construction work upon the traffic movement and general economy of the area affected, particularly the metropolitan areas.

Giving consideration to these things, we conclude that all things being considered, the need of immediate improvement and at the same time the effect of actually making this improvement, the major part of the improvement program should be undertaken in a period of 10 years, and the necessary cleanup program should be completed in the succeeding five years. In order to demonstrate this suggestion, we submit Tabulation D.

Tabulation D, for convenience of comparison, is made up in identical form with similar tabulations shown on pages 74, 75, 76, and 77 of "Financing California's Highways" by Richard M. Zettel, recently submitted to the Joint Fact-Finding Committee on Highways of the California Legislature. The tabulations in the Zettel report, insofar as the amount of the deficiencies is concerned, are based upon the data shown on page 43 of the Automotive Safety Foundation report, "California State Highways." These data show an over-all deficiency on the State Highway System of \$3,416,382,000, while the tabulations submitted herewith show a total of \$3,315,000,000. The difference in over-all cost is insufficient to influence the time period that would be required to carry out the suggested program.

Tabulation D shows that by increasing the revenues now available for state highway purposes by one-third, an amount equal to approximately \$100,000,000 a year, the major and most important portion of the present deficiencies can be corrected in a period of 10 years, and income from present sources at present rates will be sufficient to provide funds for correcting the remaining deficiencies in the next five-year period.

It is suggested to the Senate, therefore, that a program substantially as herein outlined be adopted.

Sincerely,

FRANK B. DURKEE, Director of Public Works

Communication read, and ordered printed in the Journal, and report filed with the Secretary of the Senate.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 38  
 Assembly Bill No. 87  
 Assembly Bill No. 196  
 Assembly Bill No. 206  
 Assembly Bill No. 207  
 Assembly Bill No. 299  
 Assembly Bill No. 310  
 Assembly Bill No. 361  
 Assembly Bill No. 387  
 Assembly Bill No. 389  
 Assembly Bill No. 391  
 Assembly Bill No. 436  
 Assembly Bill No. 441  
 Assembly Bill No. 516  
 Assembly Bill No. 519  
 Assembly Bill No. 660  
 Assembly Bill No. 951  
 Assembly Bill No. 1053  
 Assembly Bill No. 1146  
 Assembly Bill No. 1163  
 Assembly Bill No. 1472

Assembly Bill No. 1563  
 Assembly Bill No. 1612  
 Assembly Bill No. 1663  
 Assembly Bill No. 1834  
 Assembly Bill No. 2010  
 Assembly Bill No. 2011  
 Assembly Bill No. 2012  
 Assembly Bill No. 2021  
 Assembly Bill No. 2035  
 Assembly Bill No. 2039  
 Assembly Bill No. 2056  
 Assembly Bill No. 2103  
 Assembly Bill No. 2125  
 Assembly Bill No. 2127  
 Assembly Bill No. 2321  
 Assembly Bill No. 2368  
 Assembly Bill No. 2425  
 Assembly Bill No. 2821  
 Assembly Bill No. 3027  
 Assembly Bill No. 3052  
 Assembly Bill No. 3199

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 38**—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 87**—An act to amend Section 44.11 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 196**—An act to add Section 25372 to the Government Code, relating to the leases of property by cities, counties, and state or other public agencies.

Referred to Committee on Local Government.

**Assembly Bill No. 206**—An act to amend Section 422 of the Education Code, relating to the compensation of county superintendents of schools of counties of the twenty-second class.

Referred to Committee on Local Government.

**Assembly Bill No. 207**—An act to amend Section 4733 of the Health and Safety Code, relating to the compensation of the governing bodies of sanitation districts.

Referred to Committee on Local Government.

**Assembly Bill No. 299**—An act to amend Section 3014.5 of the Civil Code, relating to definition of trust receipts transaction.

Referred to Committee on Transportation.

**Assembly Bill No. 310**—An act to amend Section 20393 of the Government Code, relating to contributions to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 361**—An act making an appropriation for construction, improvements, and equipment for the State Agricultural Society, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 387**—An act to repeal Section 27060 of the Government Code, relating to the treasurer's annual settlement with the auditor.

Referred to Committee on Local Government.

**Assembly Bill No. 389**—An act to repeal Section 24053 of the Government Code, relating to a requirement that all county officers know the condition of the treasury and the claims against it.

Referred to Committee on Local Government.

**Assembly Bill No. 391**—An act to amend Section 29820 of the Government Code, relating to the payment of warrants.

Referred to Committee on Local Government.

**Assembly Bill No. 436**—An act to amend Sections 18802, 18805, 18807, and 18908 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 441**—An act to amend Sections 26131, 26132, and 26191 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 516**—An act to amend Section 3442 of the Revenue and Taxation Code, relating to entries on the current roll for property tax purposes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 519**—An act to amend Sections 10205, 10209, 10270.5, 10270.9, and 10270.95 of, to amend Section 10270.93 and renumber it 10270.94 of, and to add Sections 10205.5, 10205.6, 10210.5, 10270.91, 10270.92, and 10270.93 to, the Insurance Code, all relating to insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 660**—An act to add Section 459 to the Health and Safety Code, relating to health and sanitation conditions in county and city jails and detention facilities.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 951**—An act to amend Section 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1053**—An act adding Sections 30.5 and 30.6 to Chapter 47 of the Statutes of 1943 (Fourth Extraordinary Session), relating to allocations to counties and cities for public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 1146**—An act to amend Section 19540 of the Government Code, relating to the state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1163**—An act to amend Sections 13920 and 16001 of the Government Code, relating to pay of state officers and employees.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1472**—An act to amend Sections 13307 and 15510 of the Revenue and Taxation Code, relating to inheritance and gift taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1563**—An act to amend Section 37902 of the Government Code, relating to municipal contracts.

Referred to Committee on Local Government.

**Assembly Bill No. 1612**—An act to amend Section 31853 of the Streets and Highways Code, relating to municipal off-street parking facilities.

Referred to Committee on Local Government.

**Assembly Bill No. 1663**—An act to amend Section 31521 of the Government Code, relating to county employee retirement systems.

Referred to Committee on Local Government.

**Assembly Bill No. 1834**—An act to amend Section 265 of the Vehicle Code, relating to applications for motor vehicle operators' and chauffeurs' licenses.

Referred to Committee on Transportation.

**Assembly Bill No. 2010**—An act to repeal Section 25295a of the Revenue and Taxation Code, as added by Chapter 74 of the Statutes of 1951, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2011**—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2012**—An act to amend Section 31 of the Revenue and Taxation Code, relating to reciprocity with other states in the collection of taxes.

Referred to Committee on Revenue and Taxation.



**Assembly Bill No. 2021**—An act to amend Sections 5532 and 5711 of the Public Resources Code, relating to the election of directors of regional park districts.

Referred to Committee on Natural Resources.

**Assembly Bill No. 2035**—An act to repeal Chapter 69 of the Statutes of 1905, prohibiting the offering of prizes or trading stamps or coupons in connection with sales of merchandise.

Referred to Committee on Judiciary.

**Assembly Bill No. 2039**—An act to repeal Section 31007 of the Water Code, to amend and renumber Section 31006 of said code as amended and renumbered by Chapter 1114 of the Statutes of 1949 to be Section 31007 of said code, and to amend Section 31500 of said code, relating to the powers and purposes of county water districts.

Referred to Committee on Local Government.

**Assembly Bill No. 2056**—An act to amend Section 45053 of the Government Code, relating to city personnel.

Referred to Committee on Local Government.

**Assembly Bill No. 2103**—An act to amend Section 43069 of the Government Code, relating to the powers of sixth class cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2125**—An act to repeal Section 8640 of, and amend Sections 8636, 8637, and 8644 of, and to add Section 8640 to, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2127**—An act to amend Section 8521 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2321**—An act to add Section 10503.5 to the Education Code of the State of California, relating to courses of instruction in the public schools.

Referred to Committee on Education.

**Assembly Bill No. 2368**—An act to amend Sections 303.1, 304, and 307, of, and to add Section 308.1, to the Vehicle Code, relating to suspension and revocation of the privilege of operating a motor vehicle upon a highway.

Referred to Committee on Transportation.

**Assembly Bill No. 2425**—An act to amend Section 9355 of the Government Code, relating to the Legislators' Retirement System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2821**—An act to amend Section 6a of the Alcoholic Beverage Control Act (Chapter 330, Statutes of 1935), and to amend Section 24440 of the Business and Professions Code, relating to the sale of beer to instrumentalities of the armed forces of the United States, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3027**—An act to amend Section 5643 of the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Local Government.

**Assembly Bill No. 3052**—An act to add Section 330e to Chapter 10 of Title 9 of Part 1 of the Penal Code, relating to the manufacture, distribution and possession of punchboards.

Referred to Committee on Judiciary.

**Assembly Bill No. 3199**—An act to amend Sections 459 and 472, and to repeal Section 592.2 of, and to add Section 459.8 to, the Vehicle Code, relating to the regulation of stopping, standing or parking of vehicles.

Referred to Committee on Transportation.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 36

Assembly Concurrent Resolution No. 44

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 36**—Relative to eulogizing Harry Clifford Lucas.

#### Request for Unanimous Consent

Senator Grunsky asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36

**Assembly Concurrent Resolution No. 36**—Relative to eulogizing Harry Clifford Lucas.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 44**—Relative to congratulating M. F. Small on his appointment as Administrative Assistant to Senator Thomas H. Kuchel.

Resolution was ordered held at the desk.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 97

Senate Bill No. 1604

Senate Bill No. 252

Senate Bill No. 1652

Senate Bill No. 1217

Senate Concurrent Resolution No. 31

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1153

Senate Bill No. 1603

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 313

Senate Bill No. 1216

Senate Bill No. 823

Senate Bill No. 1713

Senate Bill No. 1068

Senate Bill No. 1800

And reports the same correctly re-engrossed.

POWERS, Chairman

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 866

Assembly Bill No. 1885

Assembly Bill No. 1896

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 626

Senate Bill No. 1224

Senate Bill No. 627

Assembly Bill No. 1901

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred: Senate Bill No. 697  
Senate Bill No. 1194

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bills ordered to second reading.

#### LETTER OF TRANSMITTAL

SENATE CHAMBER, SACRAMENTO, March 19, 1953

*Hon. Goodwin J. Knight, President of the Senate  
Senate Chamber, State Capitol  
Sacramento, California*

MR. PRESIDENT: Pursuant to Senate Resolution No. 189 adopted June 23, 1951, the Senate Interim Committee on Workmen's Compensation Benefits investigated many phases of the workmen's compensation law, including the administration and operation thereof.

For practical purposes, it was decided to prepare the report in several sections and to make separate filings of the sections.

The first part of the report was submitted to you on March 6, 1953. Therein we presented our findings in respect to some of the subjects explored by us.

Herewith we submit part two of our report. In this section, we present our recommendations and conclusions upon a variety of subjects. Included in these are the views of the committee on subjects of such wide general interest as (1) the Permanent Disability Rating Schedule and the Rating Bureau; (2) Liberal Interpretation; (3) Subsequent Injuries Fund; (4) Occupational Diseases; (5) Serious and Willful Misconduct by the Employer, and (6) Official Medical Fee Schedule.

Investigation into several highly important matters is in progress and as to these, we hope to present a report of findings and positive conclusions at an early date.

Respectfully submitted,

CLARENCE C. WARD, Chairman  
HAROLD T. JOHNSON  
FRED H. KRAFT  
HARRY L. PARKMAN

#### MOTION TO PRINT REPORT

Senator Ward moved that the letter of transmittal be printed in the Journal, and part two of the report submitted by the Senate Interim Committee on Workmen's Compensation Benefits be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

#### RESOLUTIONS

The following resolution was offered:

By Senator O'Gara:

##### Senate Resolution No. 89

Relative to the Student World Affairs Council

WHEREAS, Three hundred college students from California colleges will meet at Asilomar, Pacific Grove, California, on March 20th to 22d, inclusive, to discuss the position of Latin America in world affairs; and

WHEREAS, The three days of activities will include discussion by the students of problems facing the 20 Latin American Republics and other discussion groups will consider topics such as "The Historical Development of Latin American People," "Contemporary Latin America," "Regional and International Groups," and "Prospects for Continued Pan-American Solidarity"; and

WHEREAS, Among the noted authorities who will address the assembled students are Father Peter Dunne, S.J., Chairman of the History Department of the University of San Francisco; Dr. Theodore Treutlein, Professor of History of San Francisco State College, and Roy Nash, Embassy Attache in Brazil during 1943 to 1947; and

WHEREAS, Conferences of this type add greatly to the understanding between the people of the United States and our Latin American neighbors; now, therefore, be it



*Resolved by the Senate of the State of California, That the Student World Affairs Council of Northern California be congratulated for its leadership in arranging and conducting the Latin America Conference; and be it further*

*Resolved, That the Secretary of the Senate be and he hereby is instructed to transmit a copy of this resolution to Anton L. Howard, Conference Chairman, at San Jose State College and to John Riordan, President of the Student World Affairs Council.*

Resolution read, and unanimously adopted on motion of Senator Regan.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 628**—An act to amend Section 5 of Chapter 1307 of the Statutes of 1947, and to amend Section 8813 of the Public Resources Code, relating to the California Coordinate System.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 30, of the printed bill, strike out "119 degrees 00", and insert "116 degrees 15".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 52**—An act to authorize the Director of Finance to grant to San Joaquin County rights of way for road purposes over the farm property of the Stockton State Hospital.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after the period insert "A copy of each right of way executed and delivered by the Director of Finance shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 71**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Sonoma, State of California, and the disposal of any right, title or interest of the State of California therein.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "California," insert "either".

**Amendment No. 2**

On page 1, line 6, of said bill, after "property", insert "or to reform certain deeds and agreements hereinafter described in this section, or both,".

**Amendment No. 3**

On page 1, line 7, of said bill, after "action", insert "or actions".

**Amendment No. 4**

On page 1, line 8, of said bill, after "suit", insert "or suits".

**Amendment No. 5**

On page 1, of said bill, between lines 9 and 10, insert

"The deeds and agreements which may be reformed pursuant to this section are described as follows: Executor's Deed made by Monterey County Trust & Savings Bank, a corporation, executor of the last will and testament of Elva E. Hitchcock, Deceased, etc., to State of California, dated August 13, 1934, recorded September 26, 1934 in Book 370 of Official Records, page 208, under Recorder's Serial No. A-52542, Sonoma County Records.

Deed made by Jessie Belle Hitchcock and Donna L. Dougherty, to State of California, dated June 28, 1934, recorded September 26, 1934, in Book 368 of Official Records, page 416, Recorder's Serial No. A-52543, Sonoma County Records.

Agreement made by Jessie Belle Hitchcock and Donna L. Dougherty to California State Park Commission, dated June 28, 1934, recorded September 26, 1934, in Book 371 of Official Records, page 237, Recorder's Serial No. A-52544, Sonoma County Records."

**Amendment No. 6**

On page 1, line 14, of said bill, strike out "Chairman of the State Lands Commission", and insert "Director of Finance, the Director of Natural Resources".

**Amendment No. 7**

On page 1 of said bill, strike out lines 19 to 25, inclusive, and on page 2, strike out lines 1 to 19, inclusive, and insert

"That certain real property situated in Bodega Rancho, Sonoma County, State of California, particularly described as follows:

Beginning at Engineer's Station 758 + 32.85 P.T. on the Bodega to Jenner Highway as described in deed to the County of Sonoma, recorded in Book 473 of Official Records, page 442, Sonoma County Records; thence from said point south 80° 53' west 234.3 feet to the true point of beginning of the premises herein described; thence from said true point of beginning north 13° 39' east, 445.7 feet to a ¾" iron pipe; thence north 33° 49' east 203.9 feet to a point in the westerly edge of said highway; thence along said highway on a curve to the left with a radius of 55 feet from a tangent that bears north 1° 15' east, a distance of 119.35 feet; thence south 56° 55' west, 419.2 feet; thence on a curve to the right with a radius of 225 feet a distance of 185.54 feet; thence leaving said highway south 44° 48' west, 97.20 feet to a ¾" iron pipe; thence continuing south 44° 48' west to the high tide line of the Pacific Ocean; thence southeasterly along high tide line to a point that bears south 13° 39' west from the true point of beginning of this parcel of land; thence leaving said high tide line north 13° 39' east to the true point of beginning."

**Amendment No. 8**

On page 2, line 21, after "of", insert ", without additional consideration,".

**Amendment No. 9**

On page 2, after line 23, insert

"SEC. 6. The Legislature hereby finds that the above described lands or portions thereof were deeded to the State of California under a mutual mistake of fact, and that the State would be unjustly enriched unless permission to bring such action is granted so that the land may be transferred to the rightful owner."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 781**—An act to amend Section 13841.1 of the Education Code, relating to sick leave of school district employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 882**—An act to amend Section 20432 of the Education Code, relating to state colleges.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1834**—An act to add Section 7431.3 to the Education Code, relating to school district bonding capacity.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 833**—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "insure", insert "the owner of any motor vehicle used in driver training and".

**Amendment No. 2**

On page 1, lines 12 through 14, of said bill, strike out "The Department of Education may insure any automobile owned or borrowed by a state college for use in instruction of pupils in driver training."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1425**—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, strike out "add Sections 20393.1 and 20393.2 to", and insert "amend Section 20393 of, and to add Section 20393.1 to".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of the printed bill, strike out all of lines 1 through 25, and insert:

"SECTION 1. Section 20393 of the Education Code is amended to read:

20393. Notice of such dismissal must, except as herein provided, be given such employee in writing by the Director of Education at least six months prior to the date on which such dismissal is to become effective, except that in the case of any employee who, in the considered opinion of the president of the college in which he is employed, is guilty of [gross] immorality or [gross] unprofessional conduct or is by reason of obvious physical or mental condition not fitted to instruct [and/or] or associate with students, no notice prior to the dismissal of such employee need be given but such employee shall, in any event, be given notice in writing of his dismissal by the Director of Education not later than the date upon which his dismissal becomes effective.

In every case the reasons for the dismissal of an employee shall be clearly stated in writing in the notice of dismissal given to the employee and shall contain the effective date of dismissal.

SEC. 2. Section 20393.1 is added to said code, to read:

20393.1. "Unprofessional conduct" as used in Section 20393 includes, but is not limited to:

(a) Membership in, or active support of, a "communist front," a "communist action" organization, or a communist organization, as those terms are now defined in the act of the Congress of the United States designated as "Internal Security Act of 1950."

(b) Persistent active participation in public meetings conducted or sponsored by an organization mentioned in subdivision (a) of this section.

(c) Wilful advocacy of the overthrow of the Government of the United States or of the State, by force, violence or other unlawful means, either on or off the campus.

(d) Wilful advocacy of communism, either on or off the campus, for the purpose of undermining the patriotism of pupils, or with the intent to indoctrinate any pupil with communism or inculcate a preference for communism in the mind of any pupil."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 880**—An act to amend Section 17026 of the Business and Professions Code, relating to definition of cost in the Unfair Practices Act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "proof of", strike out "a".

**Amendment No. 2**

On page 1, line 9, of the printed bill, strike out "higher or lower".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 881**—An act to amend Section 17044 of the Business and Professions Code, relating to "loss leaders" in the Unfair Practices Act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

Strike out all of lines 3, 4, 5, and 6 of the printed bill and insert in lieu thereof the following:

"17044. [The practice of using any article or product as a "loss leader" is included among the prohibitions of this chapter.] *It is unlawful for any person engaged in business within this State to sell or use any article or product as a "loss-leader" as defined in Section 17030 of this chapter.*"

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1349**—An act to amend Sections 2393 and 2429 of the Business and Professions Code, relating to the healing arts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 18, of the printed bill as amended, delete the period, and insert after the end of the quotes "or "Chiropracist Group".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1403**—An act to amend Section 6537 of the Business and Professions Code, relating to admission to barber colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 24, of the printed bill as amended, strike out "Any person who has", and insert "Has".

**Amendment No. 2**

On page 1, line 25, of said bill, as amended, after "and", strike out "who".

**Amendment No. 3**

On page 1, of said bill, as amended, after line 27, insert

"(4) Proves by sworn affidavit that he has practiced as a barber in another state or country for at least two years prior to making the application."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 196**—An act to amend Sections 9609, 9650, 9651, 9655, 9656, 9715, 9751, 9756, 9758, 9766, and 9767 of, and to add Sections 9608.6, 9650.1, 9650.3, and 9757.5 to, the Business and Professions Code, and to add Section 8250.5 to the Health and Safety Code, relating to cemeteries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 476**—An act to amend Section 6060.8 of the Business and Professions Code, relating to bar examinations of veterans.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1346**—An act to amend Section 1628 of the Dental Practice Act.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Dental Practice Act.", and insert "Business and Professions Code, relating to practice of dentistry."

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "Dental Practice Act", and insert "Business and Professions Code".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1131**—An act to amend Sections 14453, 14455, 14455.1, and 14455.2 of the Health and Safety Code, relating to the election of commissioners of county fire protection districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 7**—An act to amend Section 28111 of the Government Code, relating to the compensation of county officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 8**—An act to amend Section 411 of the Education Code, relating to the salary of county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 134**—An act to amend Section 31 of the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 202**—An act to amend Section 406 of the Education Code, relating to the salaries of county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1329**—An act to add Sections 50022.1 to 50022.8, inclusive, to, and to repeal Sections 36970, 36971, 36972, and 50022 of, the Government Code, relating to the enactment of ordinances by local agencies.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate March 11, 1953, strike out "ordinances", and insert "codes".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 87**—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), relating to water district assessments.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "assessments", insert ", declaring the urgency thereof, to take effect immediately."

**Amendment No. 2**

On page 2 of the printed bill, after line 22, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. A statement of the facts constituting said necessity is as follows:

Water is vital to the State of California, and there is urgent necessity for its conservation. There are water conservation districts in this State whose expanded conservation operations, with resultant greatly increased current expense, require annual revenue in excess of what can be raised under existing tax limitations. The additional revenue is needed immediately, in order that said water conservation operations may be continued without interruption and at maximum efficiency."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1060**—An act to add Section 53200.1 to the Government Code, relating to county group insurance plans.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "plans", insert " , declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 7, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

At the present time there are certain employees of the county superintendent of school whose retirement rights are doubtful. In order to clarify these rights and to provide such employees with some measure of security which will enable them to retire after many years of service with reasonable retirement allowances, it is necessary that their definite inclusion in a retirement plan be authorized as soon as possible. It is, therefore, necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 556**—An act to amend Section 28153 of the Government Code and Section 453 of the Education Code, relating to compensation for public services in counties of the fifty-third class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1180**—An act to amend Section 436 of the Education Code, relating to the compensation of the county superintendent of schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 854**—An act to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 721**—An act to amend Sections 53679, 71381, and 71384 of the Government Code and Sections 116d and 116h of the Code of Civil Procedure, relating to a uniform accounting system for, and bank accounts of justice and municipal courts.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 39**—An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1884**—An act to codify certain statutes relating to the system of education and schools of the State, by adding Article 12 to Chapter 1 of Division 5 of the Education Code, Section 20463 to said code, Chapter 7 to Division 12 of said code, and Article 3 to Chapter 6 of Division 12 of said code, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1373**—An act to amend Section 2319 of the Business and Professions Code, relating to the healing arts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1377**—An act to add Section 2293 to the Business and Professions Code, relating to the healing arts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1383**—An act to add Section 2147.6 to the Business and Professions Code, relating to the healing arts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2228**—An act to add Article 5.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to revenue bonds of county sanitation districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 215**—An act to amend Section 29431 of the Government Code, relating to sheriff's special fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3034**—An act to amend Section 28144 of the Government Code, relating to salaries of officers in counties of the forty-fourth class.

Bill read second time, and ordered to third reading.

### THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 31**—Relating to fire protection districts.

Resolution read.

#### Motion to Amend

Senator Regan moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 10, of the printed measure, as amended in Senate March 18, 1953, strike out "fifteenth day", and insert "tenth day of the 1954 Regular Session of the Legislature; and be it

*Resolved, further,* That all departments of the State shall give the Legislative Counsel full information and reasonable assistance in any matter of research requiring recourse to them or to data within their knowledge or control in connection with such study."

#### Amendment No. 2

On page 2 of said measure, as amended, strike out lines 11 to 18, inclusive.

Amendments read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 1068**—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, Parkman, Regan, Sutton, Ward, Way, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.



Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Constitutional Amendment No. 8**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to the initiative and referendum.

Resolution read.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator McCarthy moved a call of the Senate.

Motion carried. Time 2.15 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1652**—An act to amend Section 20911 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2.25 p.m., on motion of Senator McCarthy, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 8 adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—Senators Busch, Donnelly, Miller, Montgomery, Regan, and Tenney—6.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1603**—An act to add Section 1552.45 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried.

Time, 2.29 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 252**—An act to add Section 10854.1 to the Revenue and Taxation Code, to add Section 378.1 to the Vehicle Code, and to add Section 9.5 to Chapter 788 of the Statutes of 1937, relating to motor vehicle fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1153**—An act to amend Section 30210 of the Streets and Highways Code, relating to the signatures on bonds issued by the California Toll Bridge Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1217**—An act to amend Section 476a of the Penal Code, relating to the punishment of making or uttering fictitious checks.

Bill read third time.

**MOTION TO RE-REFER SENATE BILL NO. 1217**

Senator Byrne moved that Senate Bill No. 1217 be re-referred to Committee on Judiciary.

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Grunsky asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel addressed to Senator Gibson regarding schools printed in the Journal.

## OPINION OF LEGISLATIVE COUNSEL

OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, March 18, 1953*Hon. Luther E. Gibson*  
*Senate Chamber**Schools—No. 7277*

DEAR SENATOR GIBSON: You ask what powers the county superintendent of schools and county boards of education have to prepare or publish written materials.

In the short time allowed us, the following are the provisions we have been able to find in the Education Code authorizing or requiring the county superintendent of schools to make reports or to prepare or publish written materials:

He is required to keep a record of his official acts and of the proceedings of the county board of education, including a record of the standing of applicants for certificates who have been examined. (Ed. C., Sec. 352.)

He must report to the Superintendent of Public Instruction showing matters relating to the public schools in his county as may be required of him. (Ed. C., Sec. 357.)

He must submit to the Superintendent of Public Instruction a complete report of attendance of pupils in his county. (Ed. C., Sec. 358.)

He must submit to the Superintendent of Public Instruction a general annual report of financial and other statistics relating to the public schools of the county, and such additional reports as may be required by the Superintendent of Public Instruction. (Ed. C., Secs. 359 and 360.)

He is allowed to order the description of school district boundaries to be printed. (ED. C., Sec. 1572.)

He is allowed or required to make certain reports in connection with the cost of education of certain junior college pupils, the lapsation or suspension of component districts of union or joint union districts or of elementary districts, interest on registered warrants, and attendance at teachers' institutes. (Ed. C., Secs. 357, 2581, 2941, 6179, 7231, 13422, 14421, 14422, 14488 and 14492.)

There are a number of powers granted to the county superintendent of schools which may require the incidental preparation or publication of written materials. For instance, he may provide for the preparation and coordination of courses of study, and for conducting and coordinating research and guidance activities for elementary and high schools under his jurisdiction. (Ed. C., Secs. 10324 and 10506.)

He may also establish, conduct and maintain facilities for use in elementary and high schools under his jurisdiction of aural and visual curriculum materials. (Ed. C., Secs. 18941 and 18942.)

In the short time allowed we are unable to find any provisions which would allow a county board of education to prepare or publish written materials.

Very truly yours

RALPH N. KLEPS, Legislative Counsel  
By BARBARA COCHRANE CALAIS, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2342**—An act to add Sections 371, 372, and 373 to the Education Code, relating to the sale of publications produced by the county superintendent of schools.

Bill read third time.

Motion to Amend

Senator Grunsky moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 13, 1953, after line 14, insert

"SEC. 4. This act does not authorize a county superintendent of schools to prepare or publish written materials, the preparation or publication of which is not otherwise authorized by law."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1838**—An act to amend Sections 1516, 1535, 1550, 1554, 1554.1, and 1558 of the Probate Court, relating to notices to be given to the Director of Mental Hygiene.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1839**—An act to amend Section 5406.5 of the Welfare and Institutions Code, relating to jury trials of inebriates committed to a state hospital.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1865**—An act to codify the Meat Sellers Fair Competition Act by adding Section 363 to the Agricultural Code and repealing Chapter 382 of the Statutes of 1935, relating to the sale of meat.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 1909**—An act to codify certain acts, relating to crimes and the punishment thereof, by amending Section 182 of, by adding Chapter 12 to Title 13 of Part 1 of, by adding Article 4 to Chapter 3 of Title 1 of Part 4 of, by adding Article 5 to Chapter 3 of Title 1 of Part 4 of, and by adding Sections 217.1, 266h, 266i, 310, 337h, 487b, 487c, 487d, 597k, 643, 643a, 643b, 646, 649, 649a, and 650a to, the Penal Code, and by repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Ward, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1914**—An act to codify Chapter 843 of the Statutes of 1921 and Chapter 299 of the Statutes of 1935, relating to penal industrial farms and road camps, by adding Chapter 2 to Part 3 of Title 4 of the Penal Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1915**—An act to codify Chapter 723 of the Statutes of 1917, relating to criminal identification and investigation, by adding Part 4, comprising Chapter 1 of Title 1 of said part, to the Penal Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1916**—An act to codify Chapter 1563 of the Statutes of 1951, relating to notification of release from custody of persons convicted of arson, by adding Article 1 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 1563 of the Statutes of 1951.

Bill read third time, and presented by Senator Tenney.

The roll was called and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1917**—An act to codify Chapter 417 of the Statutes of 1929, relating to reports of injuries by hospitals, by adding Article 2 to Chapter 2 of Title 1 of Part 4 of the Penal Code, and repealing Chapter 417 of the Statutes of 1929.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 819**—An act to amend Section 1461 of the Probate Code, relating to guardians for insane or incompetent persons.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 321**—An act to amend Section 1 of Chapter 12 of the Statutes of 1950, Third Extraordinary Session, relating to elections.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1903**—An act to codify Chapter 290, Statutes of 1909, relating to warehouse receipts, by adding Article 3B, comprising Sections 1858.01 to 1858.85, inclusive, to Chapter 2, Title 3, Part 4, Division 3 of the Civil Code, and by repealing Chapter 290 of the Statutes of 1909.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Thompson, Ward, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1948**—An act to codify certain acts, relating to the organization, powers, duties, and regulation of public utilities and publicly owned utilities, by adding Chapter 3 to Part 2, Division 1 of the Public Utilities Code; by adding Division 7 to said code; and by repealing certain acts specified herein.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1920**—An act to codify Chapter 377 of the Statutes of 1923 by repealing said chapter and adding Section 330.26 to the Civil Code, relating to water stock certificates.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 44**—An act to amend Section 2507 of the Welfare and Institutions Code, relating to the case histories of recipients of indigent aid.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1882**—An act to codify certain statutes, relating to vehicles and vehicular traffic, by adding Chapter 10 to Division 3 of, and Sections 334.1, 586.05 and 804 to, the Vehicle Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Collier.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### MOTION TO PRINT TABLES

Senator Collier moved that the following State Highway System Tables on Estimated Costs be printed in the Journal.

Motion carried.

## MAINLINE HIGHWAY SYSTEM

## ESTIMATED COSTS

Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Ala	5	17.5	12.2	29.7	1093	9520	10613	40740	40560	81300	41833	50080
Ala	69	14.6	13.0	27.6	1270	8370	9640	3939	39412	43351	5209	47782
Ala	75	4.1	4.1	8.2	40	585	625	8510	15800	24310	8510	15800
Ala	107	1.5	1.5	3.0	40	585	625	9562	7750	17312	40	585
Ala	206	4.2	4.2	8.4	14000	22000	36000	14000	22000	36000	9562	7750
Ala	226	2.9	2.9	5.8	90	3120	3210	14000	22000	36000	14000	22000
Ala	228	2.5	2.5	5.0	90	3120	3210	14000	22000	36000	90	3120
Ala	Tot	36.1	36.4	72.5	2493	21595	24088	76751	125522	202273	79244	147117
But	21	33.9	2.0	35.9	210	2100	2310	500	700	1200	710	2800
But	87	5.5	5.5	11.0	55	450	505	500	700	1200	55	450
But	Tot	39.4	2.0	41.4	265	2550	2815	500	700	1200	765	3250
Col	7	22.6	22.6	45.2	208	2125	2333	500	700	1200	208	2125
Col	Tot	22.6	22.6	45.2	208	2125	2333	500	700	1200	208	2125
CC	7	6	3.7	9.7	100	12500	12600	320	5435	5755	100	12500
CC	14	8.8	1.5	10.3	870	16400	17270	55	1800	1855	1170	21835
CC	69	1.5	1.5	3.0	3729	14570	18299	1253	17230	18483	55	1800
CC	75	18.8	4.2	23.0	3935	5560	9495	75	340	415	4982	31800
CC	107	14.0	1.1	15.1	8614	49030	57644	1703	24805	26508	4010	5900
CC	Tot	42.2	9.5	51.7	8614	49030	57644	1703	24805	26508	10317	73835
DN	1	22.5	7	29.5	830	6965	7795	300	250	550	1130	7155
DN	Tot	22.5	7	29.5	830	6965	7795	300	250	550	1130	7155
Fre	4	15.9	4.1	20.0	150	6150	6300	3270	6380	9650	3420	12530
Fre	B	70.0	70.0	140.0	3500	17000	20500	3500	6380	9650	3500	17000
Fre	Tot	85.9	4.1	90.0	3650	23150	26800	3270	6380	9650	6920	29530
Fre	Tot	85.9	4.1	90.0	3650	23150	26800	3270	6380	9650	6920	29530



**MAINLINE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
 Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Gle	7	30.4	1.2	31.6	986	3010	3996	165	480	645	1151	3490
Gle	Tot	30.4	1.2	31.6	986	3010	3996	165	480	645	1151	3490
Hum	1	88.5	1.7	90.2	3685	31015	34700	750	400	1150	4435	31415
Hum	20	33.6		33.6	500	5635	6135				500	5635
Hum	Tot	122.1	1.7	123.8	4185	36650	40835	750	400	1150	4935	37050
Imp	12	32.3		32.3	800	5290	6090				800	5290
Imp	26	42.2	3.0	45.2	150	4687	4837		760	760	150	5397
Imp	27	37.4	1.9	39.3	65	4335	4400	525	877	1402	590	5212
Imp	Tot	111.9	4.9	116.8	1015	14312	15327	525	1637	2162	1540	15949
Iny	23	73.6		73.6	32	1615	1647				32	1615
Iny	Tot	73.6		73.6	32	1615	1647				32	1615
Ker	4	14.3	2.6	16.9	2440	9630	12070	448	2880	3328	2888	12510
Ker	23	72.5		72.5	575	5000	5575				575	5000
Ker	58	38.2	5.6	43.8	3275	5050	8325	2050	4010	6060	5325	9060
Ker	145	17.7		17.7	50	900	950				50	950
Ker	B	78.0		78.0	4000	19000	23000				4000	19000
Ker	Tot	220.7	8.2	228.9	10340	39580	49920	2498	6890	9388	12838	46470
Kin	B	21.0		21.0	1000	6000	7000				1000	6000
Kin	Tot	21.0		21.0	1000	6000	7000				1000	6000
Las	28	12.8		12.8		950	950					950
Las	29	24.1		24.1		880	880					880
Las	73	80.1		80.1	30	3805	3835	30			30	3805
Las	Tot	117.0		117.0	30	5635	5665	30			30	5635

MAINLINE HIGHWAY SYSTEM—Continued  
ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT		RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Total
L.A.	2		18.7	18.7			53470	29935	23335	53470	53470
L.A.	4	15.8	18.2	34.0	25	2435	2460	21640	25130	36790	49250
L.A.	9		18.0	18.0			90000	45000	45000	90000	90000
L.A.	26		15.1	15.1			23744	3544	20200	23744	23744
L.A.	59	26.5	26.5		278	1000	1278	278	1000	1278	1278
L.A.	158		48.4	48.4			116575	46155	70420	116575	116575
L.A.	161		22.5	22.5			83750	47500	36250	83750	83750
L.A.	182		14.8	14.8			68000	40000	28000	68000	68000
L.A.	165		20.0	20.0			71461	23118	48343	71461	71461
L.A.	166		4.8	4.8			480	480	480	480	480
L.A.	167		15.4	15.4			33914	11200	22714	33914	33914
L.A.	170		21.8	21.8			37000	15000	22000	37000	37000
L.A.	173		3.6	3.6			32500	17000	15500	32500	32500
L.A.	174		1.5	1.5			1763	205	1558	1763	1763
L.A.	205		1.5	1.5			8300	4500	3800	8300	8300
L.A.	O		7.5	7.5			37000	19000	18000	37000	37000
L.A.	Tot	42.3	230.3	272.6	303	3435	704747	323797	380950	704747	708485
Mad	4	8.9	8.9		950	7585	8535	950	7585	8535	8535
Mad	32	15.7	15.7		225	1000	1225	225	1000	1225	1225
Mad	Tot	24.6		24.6	1175	8585	9760	1175	8585	9760	9760
Mrn	1	10.5	1.7	12.2	1735	13777	15512	1735	14221	15956	15956
Mrn	8	3.4		3.4		2100	2100		2100	2100	2100
Mrn	Tot	13.9	1.7	15.6	1735	15877	17612	1735	16321	18056	18056
Men	1	79.8	3.6	83.4	2948	29055	32003	300	1450	30505	33753
Men	Tot	79.8	3.6	83.4	2948	29055	32003	300	1450	30505	33753
Mer	4	21.8	4.1	25.9	642	3805	4447	780	4050	4830	4977
Mer	32	41.1		41.1	800	8755	9555			8755	9555
Mer	B	32.0		32.0	1600	10000	11600	1600	10000	11600	11600
Mer	Tot	94.9	4.1	99.0	3042	22560	25602	780	4050	26610	30432

[illegible]

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	
Mod	28	44.8		44.8	68	2352	2420				Total
	73	55.5	1.2	56.7	38	1776	1814		25	25	2352 1801 1839
Mod	Tot	100.3	1.2	101.5	106	4128	4234		25	25	4153 4259
Mno	23	115.9		115.9	85	3835	3920				3835 3920
Mno	95	3.5		3.5		175	175				175
Mno	Tot	119.4		119.4	85	4010	4095				4010 4095
Mon	2	92.4	1.5	93.9	2250	28750	31000		840	840	2250 29590 31840
Mon	56	9.5		9.5	600	3500	4100				600 3500 4100
Mon	118	7.3	1.2	8.5	250	2000	2250		180	230	600 300 2180 2480
Mon	Tot	109.2	2.7	111.9	3100	34250	37350	50	1020	1070	3150 35270 38420
Nap	7	1.2		1.2		240	240				240
Nap	Tot	1.2		1.2		240	240				240
Nev	37	19.0		19.0	600	7200	7800				600 7200 7800
Nev	38	18.8		18.8	1750	10500	12250				1750 10500 12250
Nev	Tot	37.8		37.8	2350	17700	20050				2350 17700 20050
Ora	2	24.8	4.5	29.3	3218	10530	13748		3120	4481	4579 13650 18229
Ora	158	24.0		24.0					17000	20350	3350 17000 20350
Ora	174	5.8	5.8	5.8					9036	11291	2255 9036 11291
Ora	Tot	24.8	34.3	59.1	3218	10530	13748	6966	20156	36122	10184 39686 49870
Pla	3	.3		.3		200	200		49	49	200 6346 200
Pla	17	15.9	.3	16.2	686	5611	6297				686 5660 6346
Pla	37	42.3		42.3	1050	14950	16000	50	250	300	1100 15200 16300
Pla	Tot	58.5	.3	58.8	1736	20761	22497	50	299	349	1786 21060 22846

**MAINLINE HIGHWAY SYSTEM—Continued**  
ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL				CITIES				TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way
Pla	21	93.9	1.3	95.2	30	4665	4695	75	75	75	30	4740	4770	4770
Pla	Tot	93.9	1.3	95.2	30	4665	4695	75	75	75	30	4740	4770	4770
Riv	19	7	1.3	2.0	425	825	1250	900	1100	2000	1325	1925	3250	3250
Riv	26	45.9	8.2	54.1	1575	10695	12270	2445	4405	6850	4020	15100	19120	19120
Riv	43				25	270	295	58	270	328	83	540	623	623
Riv	64	98.0		98.0	1055	9026	10081				1055	9026	10081	10081
Riv	Tot	144.6	9.5	154.1	3080	20816	23896	3403	5775	9178	6483	26591	33074	33074
Sac	3	9.3		9.3	40	3855	3895	3505	5200	8705	40	3855	3895	3895
Sac	4	20.6	4.2	24.8	3030	11507	14537	3500	13000	16500	6535	16707	23242	23242
Sac	11	1.6	3.5	5.1	100	1480	1580	4000	12000	16000	3600	14480	18080	18080
Sac	50		1.5	1.5				3400	9500	12900	4000	12000	16000	16000
Sac	98		1.3	1.3				3400	6000	9400	11200	17000	26400	26400
Sac	B	22.0	3.0	25.0	2200	11000	13200	9000	6000	15000	11200	17000	28200	28200
Sac	Tot	53.5	13.5	67.0	5370	27842	33212	23405	45700	69105	28775	73542	102317	102317
SBt	2	5.7		5.7	10	700	710				10	700	710	710
SBt	Tot	5.7		5.7	10	700	710				10	700	710	710
SBd	26	9.1	5.7	14.8	1950	7300	9250	2175	6900	9075	4125	14200	18225	18225
SBd	31	173.2	.6	173.8	2070	18635	21305	450	420	870	3120	19055	22175	22175
SBd	43	6.3	6.4	12.7	1330	2180	3510	3050	8080	11130	4380	10260	14640	14640
SBd	59	13.2		13.2	50	1200	1250				50	1200	1250	1250
SBd	145	70.2		70.2	330	2466	2796				330	2466	2796	2796
SBd	Tot	272.0	12.7	284.7	6330	31781	38111	5075	15400	21075	12005	47181	59186	59186
SD	2	28.8	22.4	51.2	3175	9035	12210	15470	27876	43346	18645	36911	55556	55556
SD	12	72.6	6.8	79.4	4169	26335	30504	955	5565	6520	430	31900	37024	37024
SD	77	14.7	18.3	33.0	30	6110	6140	400	1210	1610	430	7320	7750	7750
SD	200		10.5	10.5				6300	10200	22500	6300	16200	22500	22500
SD	Tot	116.1	43.3	159.4	7374	41480	48854	23125	50851	73976	30499	92331	122830	122830



**MAINLINE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
 Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
SF	2		5.9	5.9									
SF	56		5.9	5.9									
SF	68		1.8	1.8									
SF	223		2.3	2.3									
SF	224		3.2	3.2									
SF	Tot		19.1	19.1									
SJ	4	37.6	.8	38.4	3380	9770	13150	66550	92700	159250	66550	92700	159250
SJ	5	15.8	.4	16.2	450	8185	8635	300	2000	2300	3680	11770	15450
SJ	66	2.5		2.5	200	1600	1800	25	1120	1145	475	9805	9780
SJ	B	41.0		41.0	3700	25500	29200				200	1600	1800
SJ	Tot	96.9	1.2	98.1	7730	45055	52785	325	3120	3445	3700	25500	29200
SLO	2	43.6	7.6	51.2	802	14235	15037	1518	4855	6373	2320	19090	21410
SLO	Tot	43.6	7.6	51.2	802	14235	15037	1518	4855	6373	2320	19090	21410
SM	68		11.5	11.5									
SM	A	3.0	24.0	27.0	3000	3000	6000	1780	16020*	17800	1780	16020	17800
SM	Tot	3.0	35.5	38.5	3000	3000	6000	16000	27000	43000	19000	30000	49000
SB	2	73.4	3.6	77.0	1652	22373	24025	17780	43020	60800	20780	46020	66800
SB	Tot	73.4	3.6	77.0	1652	22373	24025	2088	8062	10150	3740	30435	34175
SCI	2	21.2	1.5	22.7	3660	9199	12859	2088	8062	10150	3740	30435	34175
SCI	5	13.1	3.4	16.5	3217	7265	10482	400	1130	1530	4060	10329	14389
SCI	32	14.7		14.7	734	5818	6552	1750	5660	7410	4967	12925	17892
SCI	68	14.1	2.6	16.7	1707	15183	16890				734	5818	6552
SCI	A	18.0		18.0	9000	18000	27000	924	2102	3026	2631	17285	19916
SCI	Tot	81.1	7.5	88.6	18318	55465	73783	3074	8892	11966	9000	18000	27000
SCI	Tot	81.1	7.5	88.6	18318	55465	73783	3074	8892	11966	21392	64357	85749

**MAINLINE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
SCr	5	12.7	.9	13.6	492	2560	3052	80	176	256	572	2736	3308
	56	8.8	1.1	9.9	321	2855	3176	637	1874	2511	958	4729	5687
SCr	Tot	21.5	2.0	23.5	813	5415	6228	717	2050	2767	1530	7465	8995
Sha	3	51.6	3.2	54.8	1030	18160	19190	400	3035	3435	1430	21195	22625
	20	11.7	2.2	13.9	60	1380	1440	50	215	265	110	1705	1705
	28	74.2		74.2	45	3985	4030				45	3985	4030
Sha	Tot	137.5	5.4	142.9	1135	23525	24660	450	3250	3700	1585	26775	28360
Sie	29	3.2		3.2		105	105					105	105
	38	1.6		1.6	2	350	352				2	350	352
Sie	Tot	4.8		4.8	2	455						455	457
Sis	3	41.4	1.7	43.1	525	6924	7449	510	1090	1600	1035	8014	9049
	72	53.0	.9	53.9	80	3540	3620	25	125	150	105	3665	3770
Sis	Tot	94.4	2.6	97.0	605	10464	11069	535	1215	1750	1140	11679	12819
Sol	7	29.3		29.3	1570	18584	20154					18584	20154
	74	3.6		3.6	50	580	630					150	12590
	90	5.2	4.5	9.7	75	825	900	100	11860	11960	150	825	900
	208	12.8		12.8	690	13016	13706				690	13016	13706
Sol	Tot	50.9	4.5	55.4	2385	33005	35390	100	11860	11960	2485	44865	47350
Son	1	50.9	1.2	52.1	2445	23331	25776	200	606	806	2645	23937	26582
	8	3.7		3.7		1188	1188					1188	1188
Son	Tot	54.6	1.2	55.8	2445	24519	26964	200	606	806	2645	25125	27770
Sta	4	19.8	3.2	23.0	3025	8347	11372	1000	3000	4000	4025	11347	15372
	B	27.0		27.0	1350	8100	9450					8100	9450
Sta	Tot	46.8	3.2	50.0	4375	16447	20822	1000	3000	4000	5375	19447	24822

**MAINLINE HIGHWAY SYSTEM—Continued**

	ROUTE	MILES DEFICIENT			RURAL		CITIES		TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way		Construction	Total
CO. Sut Sut	387	26.8	.8	26.8	500	5950	6450		500	5950	6450
	Tot	26.8	.8	27.6	500	5950	6450		500	5950	6450
Teh Teh	37	13.5 25.8	1.0 .4	14.5 26.2	40 440	2520 4875	2560 5315	170 50	315 300	2835 5175	3045 5665
	Tot	39.3	1.4	40.7	480	7395	7875	220	615	835	8710
Tri	20	62.2		62.2	160	3950	4110		160	3950	4110
	Tot	62.2		62.2	160	3950	4110		160	3950	4110
Tul	4	21.4		21.4	1375	7440	8815		1375	7440	8815
	Tot	21.4		21.4	1375	7440	8815		1375	7440	8815
Ven	2	29.2	3.1	32.3	3415	16570	19985	1745	2355	4100	24085
	Tot	29.2	3.1	32.3	3415	16570	19985	1745	2355	4100	24085
Yol	67	7.9 28.1	7.9	28.1	491	10500	10500		491	10500	10500
	50	11.0		11.0	200	8440	8640		200	8440	8640
	87	11.0		11.0	220	4050	4270		220	4050	4270
	90	22.8		22.8	200	2240	2440		200	2240	2440
	Tot	80.8		80.8	1111	27640	28751		1111	27640	28751
Yub	1587	10.0	1.2 1.2	1.2 11.2	310	1000	1310	125 40	300 1150	425 1190	425 2500
	Tot	10.0	2.4	12.4	310	1000	1310	165	1450	1615	2925
Yub	3318.3	528.3		3846.6	126253	835010	961263	570480	889309	1459789	2421052

**STATE HIGHWAY SYSTEM  
Excluding Mainline System**

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT		RURAL			CITIES			TOTAL	
		Rural	Cities	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Ala	5	15.8	1.8	2310	3383	5693	18	605	623	2328	3988
Ala	105	5.0	10.1	224	1140	1364	1760	2535	4295	1984	3675
Ala	107	17.2	15.1	916	4135	5051				916	4135
Ala	108	15.6	1.6	345	4100	4445	150	1000	1150	495	5100
Ala	226		9.1				2316	4388	6704	2316	4388
Ala	227		3.4				1639	2927	4566	1639	2927
Ala	Tot	53.6	26.0	3795	12758	16553	5883	11455	17338	9678	24213
Alp	23	21.5		42	905	947				42	905
Alp	24	36.2		128	1840	1968				128	1840
Alp	34	6.4		11	605	616				11	605
Alp	Tot	64.1		181	3350	3531				181	3350
Ama	34	63.4		142	3565	3707				142	3565
Ama	54	9.3		15	450	465				15	450
Ama	65	13.3	3.5	50	695	745	25	220	245	75	915
Ama	97	15.6		70	1210	1280				70	1210
Ama	Tot	101.6	3.5	277	5920	6197	25	220	245	302	6140
But	3	47.8		1455	8675	10130	80	425	505	1535	9100
But	21	6.7	.4	105	795	900				105	795
But	45	9.7		101	485	586				101	485
But	47	38.8	1.2	675	4300	4975	240	650	890	915	4950
But	87	11.0		162	1238	1400	12	238	250	174	1476
But	Tot	114.0	1.6	2498	15493	17991	332	1313	1645	2830	16806
Cal	5	9.0		50	825	875				50	825
Cal	24	45.8	.8	470	2450	2920	100	80	180	570	2530
Cal	65	26.6	1.5	145	1880	2025	150	250	400	295	2130
Cal	75	21.4		90	1050	1140				90	1050
Cal	Tot	102.8	2.3	755	6205	6960	250	330	580	1005	6535



STATE HIGHWAY SYSTEM—Continued  
Excluding Mainline System

CO.	ROUTE	MILES DEFICIENT			ESTIMATED COSTS Thousands of dollars								
		RURAL		Total	CITIES			TOTAL					
		Rural	Cities		Right of way	Construction	Total		Right of way	Construction	Total		
Col	15	36.9	1.0	37.9	115	2000	2115	250	150	400	365	2150	2515
Col	50	7.3		7.3	25	150	175				25	150	175
Col	88	20.5		20.5	160	750	910				160	750	910
Col	Tot	64.7	1.0	65.7	300	2900	3200	250	150	400	550	3050	3600
CC	11	2.5		2.5	84	240	324				84	240	324
CC	14	7.9		7.9	247	1700	1947				247	1700	1947
CC	75	20.3	.4	20.7	965	5290	6255	54	500	554	1019	5790	6809
CC	106	14.3	.2	14.5	252	4173	4425	47	50	97	299	4223	4522
CC	Tot	45.0	.6	45.6	1548	11403	12951	101	550	651	1649	11953	13602
DN	46	3.2		3.2	90	200	290				90	200	290
DN	71	5.6		5.6	35	915	950				35	915	950
DN	81	6.3		6.3	25	200	225				25	200	225
DN	Tot	15.1		15.1	150	1315	1465				150	1315	1465
ED	11	68.9	1.5	70.4	1815	6720	8535	900	100	1000	2715	6820	9535
ED	23	9.3		9.3	20	790	810				20	790	810
ED	38	19.0		19.0	170	1150	1320				170	1150	1320
ED	65	38.4	1.6	40.0	380	1480	1860	480	450	930	860	1930	2790
ED	92	6.6		6.6	20	20	20				20	20	20
ED	93	27.1		27.1	270	1050	1320				270	1050	1320
ED	94	4.7		4.7	10	150	160				10	150	160
Ed	Tot	168.0	3.1	171.1	2665	11360	14025	1380	550	1930	4045	11910	15953
Fre	10	40.0	1.5	41.5	190	2940	3130		250	250	190	3190	3380
Fre	41	78.1	6.2	84.3	1600	6450	8050	1170	5350	6520	2770	11800	14570
Fre	76	65.9	1.3	67.2	385	2715	3100		200	200	385	2915	3300
Fre	125	24.0	1.5	25.5	455	3755	4210	800	665	1465	1255	4420	5675
Fre	126	6.0	.1	6.1	35	435	470	25	9	34	60	444	504
Fre	129	9.1		9.1	40	500	540				40	500	540

**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL			
		Rural	Cities		Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Fre	131	3	.8	1.1	5	25	30					5	885	890
Fre	132		.3	.3									75	75
Fre	138	14.8	.9	15.7	40	1300	1340					40	1450	1490
Fre	Tot	238.2	12.6	250.8	2750	18120	20870	1995	7559	9554	4745	25079	30424	
Gle	45	22.0		22.0	185	1325	1510					185	1325	1510
Gle	47	10.3		10.3	105	775	880					105	775	880
Gle	88	16.7		16.7	67	640	707					67	640	707
Gle	Tot	49.0		49.0	357	2740	3097					357	2740	3097
Hum	35	49.4		49.4	405	4630	5035					405	4630	5035
Hum	46	26.7		26.7	100	1400	1500					100	1400	1500
Hum	56	3.5	1.3	4.8	35	180	215	15	70	85		35	250	300
Hum	84	23.1		23.1	40	600	640					40	600	640
Hum	Tot	102.7	1.3	104.0	580	6810	7390	15	70	85		595	6880	7475
Imp	187	53.7	2.8	56.5	88	3050	3138		444	444		88	3494	3582
Imp	198	13.2		13.2		300	300						300	300
Imp	201	31.4	.7	32.1	35	1600	1635		64	64		35	1664	1699
Imp	202	42.3	1.0	43.3	35	1975	2010		95	95		35	2070	2105
Imp	Tot	140.6	4.5	145.1	158	6925	7083		603	603		158	7528	7686
Iny	76	19.3		19.3	4	782	786					4	782	786
Iny	127	83.2		83.2	20	1806	1826					20	1806	1826
Iny	212	19.6		19.6	6	413	419					6	413	419
Iny	Tot	122.1		122.1	30	3061	3091					30	3061	3091
Ker	33	46.5		46.5		1520	1520						1520	1520
Ker	57	97.2	2.1	99.3	1353	3411	4894	560	1555	2115		1913	5096	7009
Ker	58	72.4		72.4	377	3520	3897					377	3520	3897
Ker	136	6.7	1.4	8.1	25	175	200	15	150	165		15	325	365

**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Ker	138	45.6	1.6	47.2	60	1675	1735	35	225	260	95	1900	1995
	139	23.3	.9	24.2	150	1400	1550	250	280	530	400	1680	2080
	140	42.9	.3	43.2	170	2115	2285	25	85	110	135	2200	2335
	141	4.6	.6	5.2	887	1765	2652	113	235	348	1000	2000	3000
	142	58.3	.3	58.6	395	3075	3470	500	570	1070	895	3645	4540
	143	8.6		8.6	165	980	1145				165	980	1145
Ker	212	14.5		14.5	40	266	306				40	266	306
Kin	Tot	420.6	7.2	427.8	3622	20032	23654	1498	3100	4598	5120	23132	28232
	10	30.8	1.0	31.8	640	2605	3245	300	595	895	940	3200	4140
	125	35.0		35.0	215	1855	2070				215	1855	2070
	134	1.8		1.8	25	100	125				25	100	125
	135	15.0		15.0	100	1200	1300				100	1200	1300
	138	19.0		19.0	20	1000	1020				20	1000	1020
Lak	Tot	101.6	1.0	102.6	1000	6760	7760	300	595	895	1300	7355	8655
	15				100	700	800				100	700	800
	16	9.8		9.8	50	350	400				50	350	400
	49	17.2		17.2	160	2005	2165				160	2005	2165
	89	20.8	.9	21.7	535	3020	3555	80	200	280	615	3220	3835
	Tot	47.8	.9	48.7	845	6075	6920	80	200	280	925	6275	7200
Las	29	43.5	1.6	45.1	117	2460	2577	80	110	190	197	2570	2767
	Tot	43.5	1.6	45.1	117	2460	2577	80	110	190	197	2570	2767
LA	2	4.0	1.3	5.3	1075	725	1800	111	160	271	1186	885	2071
	9	15.3	21.2	36.5	1260	5214	6474	10192	12542	22734	11452	17756	29208
	19	9.7	4.0	13.7	173	1900	2073	2672	1425	4097	2845	3325	6170
	59	43.9		43.9	475	1525	2000				475	1525	2000
	60	11.1	12.1	23.2	145	1093	1238	909	2785	3694	1054	3878	4932
	61					600	600					600	600
LA	62	32.0	3.4	35.4	142	6495	6637	920	421	1341	1062	6916	7978





**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT		RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Right of way	Construction
Men	15	13.1	13.1	26.2	215	1650	1865			215	1650
Men	16	10.2	10.2	20.4	60	350	410			60	350
Men	48	18.1	18.1	36.2	300	2650	2950			300	2650
Men	56	22.0	1.5	23.5	705	4790	5495	35	150	740	4940
Men	Tot	63.4	1.5	64.9	1280	9440	10720	35	150	1315	9590
Mer	18	13.5	1.0	14.5	100	680	780	10	130	110	810
Mer	41					1000	1000				1000
Mer	121	3.0		3.0	15	200	215			15	200
Mer	122	31.5		31.5	250	1750	2000			250	1750
Mer	123	32.8	0.9	33.7	200	2915	3115	150	545	350	3460
Mer	Tot	80.8	1.9	82.7	565	6545	7110	160	675	725	7220
Mod	28	17.3		17.3	52	580	632			52	580
Mod	210	50.4		50.4		1500	1500				1500
Mod	Tot	67.7		67.7	52	2080	2132			52	2080
Mno	13	12.9		12.9		300	300				300
Mno	40	58.5		58.5	16	2212	2228			16	2212
Mno	76	22.8		22.8	3	370	373			3	370
Mno	96	13.3		13.3	4	442	446			4	442
Mno	111	7.0		7.0	28	200	228			28	200
Mno	Tot	114.5		114.5	51	3524	3575			51	3524
Mon	10	25.8		25.8	60	500	560			60	500
Mon	56	89.4	1.9	91.3	1800	8230	10030	800	1400	2600	9630
Mon	117	2.8		2.8	250	1300	1550			250	1300
Mon	119	12.4		12.4	100	1250	1350			100	1250
Mon	Tot	130.4	1.9	132.3	2210	11280	13490	800	1400	3010	12680
Mon	Tot						2200				15690



STATE HIGHWAY SYSTEM—Continued  
Excluding Mainline SystemESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Pla	3	17.3	1.7	19.0	85	1540	1625	165	165	165	85	1705	1790
Pla	15	1.9	1.9	3.8	50	50	50			50		50	50
Pla	17	7.2	7.2	14.4	90	525	615	50	175	225	140	700	840
Pla	25	1.3	1.3	2.6	5	350	355				5	350	355
Pla	28	19.2		19.2	1510	1350	2860				1510	1350	2860
Pla	39	11.3		11.3	60	350	410				60	350	410
Pla	91	9.2	.5	9.7	45	400	445	10	50	60	55	450	505
Pla	Tot	67.4	2.2	69.6	1795	4565	6360	60	390	450	1855	4955	6810
Plu	29	18.4		18.4	22	867	889				22	867	889
Plu	83	45.0		45.0	66	2189	2255				66	2189	2255
Plu	Tot	63.4		63.4	88	3056	3144				88	3056	3144
Riv	19	23.1	2.9	26.0	845	5755	6600	1690	2045	3735	2535	7800	10335
Riv	43	5.7	10.8	16.5	400	2740	3140	5095	6185	11280	5495	8925	14420
Riv	64	21.7	.8	22.5	993	2248	3241	135	130	265	1128	2378	3506
Riv	77	35.2	4.1	39.3	780	4475	5255	650	540	1190	1430	5015	6445
Riv	78	20.1		20.1	180	1165	1345				180	1165	1345
Riv	146	16.4		16.4	100	811	911				100	811	911
Riv	187	26.7		26.7	136	2030	2166				136	2030	2166
Riv	193	2.9	1.4	4.3	22	352	374	160	130	290	182	482	664
Riv	194	22.8		22.8	150	1800	1950				150	1800	1950
Riv	204	6.0		6.0		300	300					300	300
Riv	Tot	180.6	20.0	200.6	3606	21676	25282	7730	9030	16760	11336	30706	42042
Sac	11	52.3	1.2	53.5	980	10640	11620	100	120	220	1080	10760	11840
Sac	34	17.7		17.7	175	500	675				175	500	675
Sac	53	5.5		5.5	50	700	750				50	700	750
Sac	54	19.5		19.5	195	950	1145				195	950	1145
Sac	100	3.1		3.1	30	120	150				30	120	150
Sac	232	10.0		10.0	500	5500	6000				500	5500	6000
Sac	Tot	108.1	1.2	109.3	1930	18410	20340	100	120	220	2030	18530	20560

**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**  
**ESTIMATED COSTS**  
 Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
SBt	22	12.1	0.9	13.0	455	1200	1655	100	400	500	555	1600	2155
SBt	67	2.2		2.2	10	260	270			10	10	260	270
SBt	119	51.9	0.9	52.8	190	3630	3840		180	180	190	3830	4020
SBt	Tot	66.2	1.8	68.0	655	5110	5765	100	580	680	755	5690	6445
SBd	9	0.3		0.3	75	390	465				75	390	465
SBd	19	4.1		4.1	1275	330	330				1275	330	330
SBd	43	97.1		97.1	935	9400	10335				1135	9400	10535
SBd	58	199.0	3.4	202.4	90	8045	8980	200	470	670	90	8515	9605
SBd	59	28.5		28.5	90	1100	1190				50	1100	1150
SBd	61	1.7		1.7	50	110	160				50	110	160
SBd	77	8.1		8.1	150	875	1025				150	875	1025
SBd	127	42.6		42.6	10	300	310				10	300	310
SBd	146	76.3		76.3	35	950	985				35	950	985
SBd	177	5.4		5.4	140	680	820				140	680	820
SBd	187	2.1		2.1	25	260	285				25	260	285
SBd	188	10.6		10.6	10	560	570				10	560	570
SBd	189	5.5		5.5	250	320	570				250	320	570
SBd	190	54.7	4.8	59.5	1525	7165	8690	1200	1595	2795	2725	8760	11485
SBd	192								2800	2800			2800
SBd	Tot	536.0	8.2	544.2	4570	30485	35055	1400	4865	6265	5970	35350	41320
SD	78	56.6		56.6	68	2735	2803				68	2735	2803
SD	195	49.8	1.3	51.1	190	3232	3422				190	3332	3522
SD	196	11.4		11.4	565	2365	2930				565	2365	2930
SD	197	16.6		16.6	25	840	865				25	840	865
SD	198	77.5	1.4	78.9	402	5985	6387	269	310	579	671	6295	6966
SD	199	5.2		5.2	175	860	1035	85	615	700	260	1475	1735
SD	200	55.3	5.7	61.0	748	3080	3828				748	3080	3828
SD	Tot	272.4	8.4	280.8	2173	19097	21270	354	1025	1379	2527	20122	22049
SF	55		2.2	2.2				62	270	332		270	332
SF	Tot		2.2	2.2				62	270	332		270	332



**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**

ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL				CITIES				TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total	Total
SJ	5	19.2		19.2	150	600	750				150	600	750	
SJ	24	16.2	0.2	16.4	35	640	675			35	35		710	
SJ	53	17.9	0.1	18.0	430	1845	2275	5		20	435	1860	2295	
SJ	66	13.8		13.8	150	1550	1700				150	1550	1700	
SJ	75	33.0	0.5	33.5	265	5200	5465	50		120	315	5270	5585	
SJ	97	18.6		18.6	150	1175	1325				150	1175	1325	
SJ	110	1.3		1.3	15	100	115				15	100	115	
SJ	Tot	120.0	0.8	120.8	1195	11110	12305	55	120	175	1250	11230	12480	
Slo	33	59.9	0.3	60.2	735	5490	6225	20	480	500	755	5970	6725	
Slo	56	71.4	1.3	72.7	1575	6755	8330	250	150	400	1825	6905	8730	
Slo	57	29.6		29.6	75	1130	1205				75	1130	1205	
Slo	58	60.7		60.7	270	2905	3175				270	2905	3175	
Slo	125	41.2		41.2	470	2065	2535				470	2065	2535	
Slo	137	9.3		9.3	15	306	321				15	300	315	
Slo	138	2.9		2.9	20	180	200				20	180	200	
Slo	147	10.8	2.5	13.3	80	600	680	415	440	855	495	1040	1535	
Slo	Tot	285.8	4.1	289.9	3240	19425	22665	685	1070	1755	3925	20495	24420	
SM	55	40.7	0.9	41.6	975	5319	6294	83	190	273	1058	5509	6567	
SM	56	21.2	1.8	23.0	402	3802	4204	115	832	947	517	4634	5151	
SM	105	1.4	1.9	3.3	16	285	301	345	500	845	361	785	1146	
SM	107	7.8	3.0	10.8	534	790	1324	1083	1870	2953	1617	2660	4277	
SM	214		2.3	2.3				432	1260	1692	432	1260	1692	
SM	229		.6	.6				280	810	1090	289	810	1099	
SM	Tot	71.1	10.5	81.6	1927	10196	12123	2347	5462	7809	4274	15658	19932	
SB	2	12.3		12.3	25	400	425				25	400	425	
SB	56	39.1	2.2	41.3	225	1950	2175	100	275	375	325	2225	2550	
SB	57	41.0		41.0	105	1730	1835				105	1730	1835	
SB	80	32.5	4.8	37.3	190	1700	1890	105	335	440	235	2035	2330	

**STATE HIGHWAY SYSTEM—Continued**  
**Excluding Mainline System**

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
SB	138	8.2		8.2	35	460	495				35	460	495
SB	148	18.9		18.9	520	1250	1770				520	1250	1770
SB	149	18.0	2.0	20.0	245	970	1215	15	150	165	260	1120	1380
SB	150	2.3	2.9	5.2	15	250	265	575	440	1015	590	690	1280
SB	151	2.3		2.3	45	125	170				45	125	170
SB	152	.5		.5	30	70	100				30	70	100
SB	Tot	175.1	11.9	187.0	1435	8905	10340	795	1200	1995	2230	10105	12335
SCI													
SCI	2	11.2	6.5	17.7	602	2100	2702	318	1862	2180	920	3062	4882
SCI	32	8.9		8.9	130	700	830				130	700	830
SCI	42	9.5	.6	10.1	808	1227	2035	216	840	1056	1024	2067	3091
SCI	55	7.8		7.8	87	1000	1087				87	1000	1087
SCI	113	10.0		10.0	384	1485	1869				384	1485	1869
SCI	114	8.2	1.4	9.6	1051	2880	3931	387	450	837	1438	3330	4768
SCI	115	21.6	1.0	22.6	644	1350	1994	223	95	318	867	1445	2312
SCI	119	2.5		2.5	47	289	336				47	289	336
SCI	Tot	79.7	9.5	89.2	3813	11031	14844	1144	3247	4391	4957	14278	19235
SCr													
SCr	32	8.5	1.5	10.0	289	1492	1781	129	300	429	418	1792	2210
SCr	42	8.6		8.6	50	450	500				50	450	500
SCr	44	9.5		9.5	103	475	578				103	475	578
SCr	56	6.7	2.5	9.2	437	913	1350	974	1525	2499	1411	2438	3849
SCr	67	10.9	1.1	12.0	224	1230	1454	109	195	304	333	1425	1758
SCr	116	20.4	.3	20.7	534	2676	3210	80	360	440	614	3036	3650
SCr	Tot	64.6	5.4	70.0	1637	7236	8873	1292	2380	3672	2929	9616	12545
Sha													
Sha	20	47.7	.8	48.5	120	2869	2989	30	100	130	150	2969	3119
Sha	29	10.7		10.7	21	733	754				21	733	754
Sha	83	56.8		56.8		1300	1300					1300	1300
Sha	209	4.6		4.6		171	171					171	171
Sha	Tot	119.8	.8	120.6	141	5073	5214	30	100	130	171	5173	5344

### STATE HIGHWAY SYSTEM—Continued Excluding Mainline System

**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT		RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction		
Sta	25	45.3		45.3	81	2628	2709		81	2628	2709
	83	16.5		16.5	40	1000	1040		40	1000	1040
Sta	Tot	61.8		61.8	121	3628	3749		121	3628	3749
Sta	46	107.1		107.1	245	5979	6224		245	5979	6224
	82	5.1		5.1	840	840	840		15	840	840
Sta	83	34.4		34.4	15	932	947		15	932	947
Sta	210	5.0		5.0	200	200	200			200	200
Sta	Tot	151.6		151.6	260	7951	8211		260	7951	8211
Sol	8	3.0		3.0	40	450	490		40	450	490
	53	22.2	1.0	23.2	190	4220	4410		70	140	210
Sol	74	13.2		14.2	140	1320	1460		250	800	1050
Sol	99	14.0		14.0	50	1800	1850				
Sol	100	3.2		3.2	20	440	460		5	115	120
Sol	101	20.2	.9	21.1	60	1260	1320				
Sol	Tot	75.8	2.9	78.7	500	9490	9990		325	1055	1380
Son	8	11.6		11.6	220	2928	3148		825	10545	11370
	48	6.1		6.1	63	519	582		220	2928	3148
Son	51	28.6	2.8	31.4	909	6402	7311		63	519	582
Son	56	39.3		39.3	262	6675	6937		1674	7892	9566
Son	103	20.1		20.1	324	1800	2124		262	6675	6937
Son	104	41.4	.6	42.0	936	6753	7689		324	1800	2124
Son	Tot	147.1	3.4	150.5	2714	25077	27791		956	6963	7919
Sta	13	26.5	2.0	28.5	200	1620	1820		3499	26777	30276
	66	4.5	.6	5.1	75	390	465		250	1850	2100
Sta	75	9.0		9.0	20	720	740		100	450	550
Sta	109	3.9	1.3	5.2	300	590	890		20	720	740
Sta	110	50.1	1.4	51.5	905	4855	5760		300	800	1100
Sta	Tot	94.0	5.3	99.3	1500	8175	9675		1485	5850	7335
Sta	Tot	94.0	5.3	99.3	1500	8175	9675		2150	9670	11820







## STATE HIGHWAY SYSTEM

ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Ala	5	33.3	14.0	47.3	3403	12903	16306	40758	41165	81923	44161	54068
Ala	69	14.6	13.0	27.6	1270	8370	9640	3939	39412	43351	52091	47782
Ala	75		4.1	4.1				8510	13800	24310	8510	13800
Ala	105	5.0	10.1	15.1	224	1140	1364	1760	2335	4295	1384	3675
Ala	107	18.7	18.7	37.4	956	4720	5676				956	4720
Ala	108	15.6	1.6	17.2	345	4100	4445	150	1000	1150	495	5100
Ala	206		4.2	4.2				9562	7750	17312	9562	7750
Ala	226	12.0	12.0	24.0				16316	26388	42704	16316	26388
Ala	227	3.4	3.4	6.8				1639	2927	4566	1639	2927
Ala	228	2.5		2.5	90	3120	3210				90	3120
Ala	Tot	89.7	62.4	152.1	6288	34353	40641	82634	136977	219611	88922	171330
Alp	23	21.5		21.5	42	905	947				42	905
Alp	24	36.2		36.2	128	1840	1968				128	1968
Alp	34	6.4		6.4	11	605	616				11	605
Alp	Tot	64.1		64.1	181	3350	3531				181	3350
Ama	34	63.4		63.4	142	3565	3707				142	3565
Ama	54	9.3		9.3	15	450	465				15	450
Ama	65	13.3	3.5	16.8	50	695	745	25	220	245	75	915
Ama	97	15.6		15.6	70	1210	1280				70	1280
Ama	Tot	101.6	3.5	105.1	277	5920	6197	25	220	245	302	6140
But	3	47.8	4	48.2	1455	8675	10130	80	425	505	1535	9100
But	21	40.6	2.0	42.6	315	2895	3210	500	700	1200	815	3395
But	45	9.7		9.7	101	485	586				101	485
But	47	38.8	1.2	40.0	675	4300	4975	240	650	890	915	4950
But	87	16.5		16.5	217	1688	1905	12	238	250	229	1926
But	Tot	153.4	3.6	157.0	2763	18043	20806	832	2013	2845	3595	20056
Cal	5	9.0		9.0	50	825	875				50	825
Cal	24	45.8	8	46.6	470	2450	2920	100	80	180	570	2530
Cal	Tot	54.8	8	56.6	520	3275	3795	150	80	260	120	3110



**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Construction	Total
Fre	4	15.9	4.1	20.0	150	6150	6300	3270	6380	9650	3420	12530
Fre	10	40.0	1.5	41.5	190	2940	3130		250	250	190	3380
Fre	41	78.1	6.2	84.3	1600	6450	8050	1170	5350	6520	2770	11800
Fre	76	65.9	1.3	67.2	385	3100	3485		200	200	385	3300
Fre	125	24.0	1.5	25.5	455	2755	3210	800	665	1465	1255	3340
Fre	126	6.0	.1	6.1	35	435	470	25	9	34	60	504
Fre	129	9.1		9.1	40	500	540				40	540
Fre	131	.3	.8	1.1	5	25	30				5	890
Fre	132		.3	.3								75
Fre	138	14.8	.9	15.7	40	1300	1340				40	1400
Fre	13	70.0		70.0	3500	17000	20500				3500	20500
Fre	Tot	324.1	16.7	340.8	6400	41270	47670	5265	13939	19204	11665	60874
Gle	7	30.4	1.2	31.6	986	3010	3996	165	480	645	1151	4641
Gle	45	22.0	1.85	23.85	185	1325	1510				185	1510
Gle	47	10.3		10.3	105	775	880				105	880
Gle	88	16.7		16.7	67	640	707				67	707
Gle	Tot	79.4	1.2	80.6	1343	5750	7093	165	480	645	1508	7738
Hum	1	88.5	1.7	90.2	3685	31015	34700	750	400	1150	4435	35850
Hum	20	33.6		33.6	500	5635	6135				500	6135
Hum	35	49.4		49.4	405	4630	5035				405	5035
Hum	46	26.7		26.7	100	1400	1500				100	1500
Hum	56	3.5	1.3	4.8	35	180	215	15	70	85	50	300
Hum	84	23.1		23.1	40	600	640				40	640
Hum	Tot	224.8	3.0	227.8	4765	43460	48225	765	470	1235	5530	49460
Imp	12	32.3		32.3	800	5290	6090				800	6090
Imp	26	42.2	3.0	45.2	150	4837	5087				150	5597
Imp	27	37.4	1.9	39.3	65	4325	4400	525	877	1402	590	5802
Imp	187	33.7	2.8	36.5	88	3050	3138				88	3582
Imp	198	13.2		13.2		300	300					300



**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Imp	201	31.4	.7	32.1	35	1600	1635	64	64	64	35	1664	1699
Imp	202	42.3	1.0	43.3	35	1975	2010	95	95	95	35	2070	2105
Imp	Tot	252.5	9.4	261.9	1173	21237	22410	525	2240	2765	1698	23477	25175
Iny	23	73.6		73.6	32	1615	1647				32	1615	1647
Iny	76	19.3		19.3	4	782	786				4	782	786
Iny	127	83.2		83.2	20	1866	1886				20	1866	1886
Iny	212	19.6		19.6	6	413	419				6	413	419
Iny	Tot	195.7		195.7	62	4676	4738				62	4676	4738
Ker	4	14.3	2.6	16.9	2440	9630	12070	448	2880	3328	2888	12510	15398
Ker	23	72.5		72.5	575	5000	5575				575	5000	5575
Ker	33	46.5		46.5		1520	1520					1520	1520
Ker	57	97.2	2.1	99.3	1353	3541	4894	560	1555	2115	1913	5096	7009
Ker	58	110.6	5.6	116.2	3652	8570	12222	2050	4010	6060	5702	12580	18282
Ker	136	6.7	1.4	8.1	25	175	200	15	150	165	40	325	365
Ker	138	45.6	1.6	47.2	60	1675	1735	35	225	260	95	1900	1995
Ker	139	23.3	.9	24.2	150	1400	1550	250	280	530	400	1680	2080
Ker	140	42.9	.3	43.2	170	2115	2285	25	85	110	195	2200	2395
Ker	141	4.6	.6	5.2	887	1765	2652	113	235	348	1000	2000	3000
Ker	142	58.3	.3	58.6	395	3075	3470	500	570	1070	895	3645	4540
Ker	143	8.6		8.6	165	980	1145				165	980	1145
Ker	145	17.7		17.7	50	900	950				50	900	950
Ker	212	14.5		14.5	40	266	306				40	266	306
Ker	B	78.0		78.0	4000	19000	23000				4000	19000	23000
Ker	Tot	641.3	15.4	656.7	13962	59612	73574	3996	9990	13986	17958	69602	87560
Kin	10	30.8	1.0	31.8	640	2605	3245	300	595	895	940	3200	4140
Kin	125	35.0		35.0	215	1855	2070				215	1855	2070
Kin	134	1.8		1.8	25	100	125				25	100	125
Kin	135	15.0		15.0	100	1200	1300				100	1200	1300
Kin	138	19.0		19.0	20	1000	1020				20	1000	1020
Kin	B	21.0		21.0	1000	6000	7000				1000	6000	7000
Kin	Tot	122.6	1.0	123.6	2000	12760	14760	300	595	895	2300	13355	15655

**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT		RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Total
Lak	15				100	700	800			700	800
Lak	16	9.8		9.8	50	350	400			350	400
Lak	49	17.2		17.2	160	2005	2165			2005	2165
Lak	89	20.8	9	21.7	535	3020	3555	80	200	615	3835
Lak	Tot	47.8	9	48.7	845	6075	6920	80	200	925	7200
Las	28	12.8		12.8		950	950			950	950
Las	29	67.6	1.6	69.2	117	3340	3457	80	110	197	3647
Las	73	80.1		80.1	30	3805	3835			30	3835
Las	Tot	160.5	1.6	162.1	147	8095	8242	80	110	227	8432
LA	2	4.0	20.0	24.0	1075	725	1800	30046	23895	53741	55541
LA	4	15.8	18.2	34.0	25	2435	2460	21640	25150	46790	49250
LA	9	15.3	39.2	54.5	1260	5214	6474	55192	57542	112734	119208
LA	19	9.7	4.0	13.7	173	1900	2073	2672	1425	4097	6170
LA	26		15.1	15.1				3544	20200	23744	23744
LA	59	70.4		70.4	753	2525	3278	753		753	3278
LA	60	11.1	12.1	23.2	145	1093	1238	909	2785	3694	4932
LA	61					600	600			600	600
LA	62	32.0	3.4	35.4	142	6495	6637	920	421	1341	7978
LA	74	33.3	4.0	37.3	639	945	1604	1352	645	2011	3601
LA	79				765	800	1565			765	1565
LA	136	9.8	9.0	18.8	490	5720	6210	1140	1975	3115	9325
LA	157		4.8	4.8				635	880	1515	1515
LA	158		48.4	48.4				46155	70420	116575	116575
LA	159		7.0	7.0				3800	10500	14300	14300
LA	160		1.5	1.5					195	195	195
LA	161		22.5	22.5				47500	36250	83750	83750
LA	162		21.5	21.5				57450	49030	106480	106480
LA	164		4.0	4.0				435	1105	1540	1540
LA	165		23.3	23.3				24313	48733	73046	73046
LA	166	1.1	4.8	5.9	442	210	652	442	480	690	1132
LA	167		15.4	15.4	602	1020	1622	11200	22714	33914	33914
LA	168	7.2		7.2							1622



**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Men	1	79.8	3.6	83.4	2948	29055	32003	300	1450	1750	3248	30505
Men	15	13.1		13.1	215	1650	1865	215			215	1865
Men	16	10.2		10.2	60	350	410				60	410
Men	48	18.1		18.1	300	2650	2950				300	2650
Men	56	22.0	1.5	23.5	705	4790	5495	35	150	185	740	5680
Men	Tot	143.2	5.1	148.3	4228	38495	42723	335	1600	1935	4563	40095
Mer	4	21.8	4.1	25.9	642	3805	4447	780	4050	4830	1422	7855
Mer	18	13.5	1.0	14.5	100	680	780	10	130	140	110	920
Mer	32	41.1		41.1	800	8755	9555				800	8755
Mer	41					1000	1000					1000
Mer	121	3.0		3.0	15	200	215				15	200
Mer	122	31.5		31.5	250	1750	2000				250	1750
Mer	123	32.8	.9	33.7	200	2915	3115	150	545	695	350	3810
Mer	B	32.0		32.0	1600	10000	11600				1600	10000
Mer	Tot	175.7	6.0	181.7	3607	29105	32712	940	4725	5665	4547	33830
Mod	28	62.1		62.1	120	2932	3052				120	2932
Mod	73	55.5	1.2	56.7	38	1776	1814		25	25	38	1839
Mod	210	50.4		50.4		1500	1500					1500
Mod	Tot	168.0	1.2	169.2	158	6208	6366		25	25	158	6233
Mno	13	12.9		12.9		300	300					300
Mno	23	115.9		115.9	85	3835	3920				85	3835
Mno	40	58.5		58.5	16	2212	2228				16	2212
Mno	76	22.8		22.8	3	370	373				3	370
Mno	95	3.5		3.5		175	175					175
Mno	96	13.3		13.3	4	442	446				4	442
Mno	111	7.0		7.0	28	200	228				28	200
Mno	Tot	233.9		233.9	136	7534	7670				136	7534
Mno	Tot	233.9		233.9	136	7534	7670				136	7534



**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
 Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL	
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction
Mon	2	92.4	1.5	93.9	2250	28750	31000	840	840	840	2250	29590
Mon	10	25.8		25.8	60	500	560				60	500
Mon	56	98.9	1.9	100.8	2400	11730	14130	800	1400	2200	3200	13130
Mon	117	2.8		2.8	250	1300	1550				250	1300
Mon	118	7.3		7.3	250	2000	2250	50	180	230	300	2180
Mon	119	12.4		12.4	100	1250	1350				100	1250
Mon	Tot	239.6	4.6	244.2	5310	45530	50840	850	2420	3270	6160	47950
Nap	6	33.2	.7	33.9	249	1480	1729	157	200	357	406	1680
Nap	7	1.2		1.2	240	240	480				240	240
Nap	8	9.8		9.8	249	1400	1649				249	1400
Nap	49	22.5	4.0	26.5	711	3782	4493	326	555	881	1037	4337
Nap	74	4.7		4.7	33	720	753				33	720
Nap	102	18.1		18.1	75	650	725				75	650
Nap	103	3.0	1.3	4.3	62	150	212	147	90	237	209	240
Nap	Tot	92.5	6.0	98.5	1379	8422	9801	630	845	1475	2009	9267
Nev	15	31.9	1.5	33.4	130	1460	1590	300	450	750	430	1910
Nev	17	11.0	2.0	13.0	180	1500	1680	280	1200	1480	460	2700
Nev	25	24.7	.5	25.2	171	1160	1331	150	75	225	321	1235
Nev	37	19.0		19.0	600	7200	7800				600	7200
Nev	38	19.9		19.9	1755	10560	12315				1755	10560
Nev	83	8.4		8.4	35	550	585				35	550
Nev	Tot	114.9	4.0	118.9	2871	22430	25301	730	1725	2455	3601	24155
Ora	2	29.5	10.8	40.3	3663	11800	15463	4391	5420	9811	8054	17220
Ora	19	2.0	4.0	6.0	1245	400	1645	835	915	1750	2080	4315
Ora	43	14.5	2.2	16.7	1115	3700	4815	325	615	940	1440	3755
Ora	60	7.9	7.7	15.6	437	810	1247	170	590	760	607	1400
Ora	62	4.6		4.6	745	379	1124				745	879
Ora	64	17.0		17.0	115	600	715				115	600
Ora	158		24.0	24.0				3350	17000	20350	3350	17000
Ora	171	3.1		3.1	400	500	900				400	500
Ora	Tot	117.1	3.1	120.2	11711	40000	51711	5350	19000	24350	5350	24350



**STATE HIGHWAY SYSTEM—Continued**  
ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Riv	146	16.4		16.4	100	811	911				100	811	911
Riv	187	26.7		26.7	136	2030	2166				136	2030	2166
Riv	193	2.9	1.4	4.3	22	352	374	160	130	290	182	482	664
Riv	194	22.8		22.8	150	1800	1950				150	1800	1950
Riv	204	6.0		6.0		300	300					300	300
Riv	Tot	325.2	29.5	354.7	6686	42492	49178	11133	14805	25938	17819	57297	75116
Sac	3	9.3		9.3	40	3855	3895				40	3855	3895
Sac	4	20.6	4.2	24.8	3030	11507	14537	3505	5200	8705	6535	16707	25242
Sac	11	53.9	4.7	58.6	1080	12120	13200	3600	13120	16720	4680	25240	29920
Sac	34	17.7		17.7	175	500	675				175	500	675
Sac	50	1.5	1.5	3.0				4000	12000	16000	4000	12000	16000
Sac	53	5.5		5.5	50	700	750				50	700	750
Sac	54	19.5		19.5	195	950	1145				195	950	1145
Sac	98		1.3	1.3				3400	9500	12900	3400	9500	12900
Sac	100	3.1		3.1	30	120	150				30	120	150
Sac	232	10.0		10.0	500	5500	6000				500	5500	6000
Sac	B	22.0	3.0	25.0	2200	11000	13200	9000	6000	15000	11200	17000	28200
Sac	Tot	161.6	14.7	176.3	7300	46252	53552	23505	45820	69325	30805	92072	122877
Sbt	2	5.7		5.7	10	700	710				10	700	710
Sbt	22	12.1	.9	13.0	455	1200	1655	100	400	500	555	1600	2155
Sbt	67	2.2		2.2	10	260	270				10	260	270
Sbt	119	51.9	.9	52.8	190	3650	3840		180	180	190	3830	4020
Sbt	Tot	71.9	1.8	73.7	665	5810	6475	100	580	680	765	6390	7155
Sbd	9	.3		.3	75	390	465				75	390	465
Sbd	19	4.1		4.1		330	330					330	330
Sbd	26	9.1	5.7	14.8	1950	7500	9250	2175	6900	9075	4125	14200	18325
Sbd	31	173.2	.6	173.8	2670	18635	21305	450	420	870	3120	19055	22175
Sbd	43	103.4	6.4	109.8	2665	11580	14185	3050	8080	11130	5655	19660	25315
Sbd	58	199.0	3.4	202.4	3955	8045	8980	200	470	670	1135	8515	9650
Sbd	59	41.7		41.7	140	2300	2440				140	2300	2440

**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
 Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
SBd	61	1.7		1.7	50	110	160				50	110	160
SBd	77	8.1		8.1	150	875	1025				150	875	1025
SBd	127	42.6		42.6	10	300	310				10	300	310
SBd	145	70.2		70.2	330	2406	2736				330	2406	2736
SBd	146	76.3		76.3	35	550	585				35	550	585
SBd	177	5.4		5.4	140	680	820				140	680	820
SBd	187	2.1		2.1	25	260	285				25	260	285
SBd	188	10.6		10.6	10	560	570				10	560	570
SBd	189	5.5		5.5	250	320	570				250	320	570
SBd	190	54.7	4.8	59.5	1525	7165	8690	1200	1595	2795	2725	8780	11485
SBd	192								2800	2800		2800	2800
SBd	Tot	808.0	20.9	828.9	10900	62206	73106	7075	20265	27340	17975	82531	100506
SD	2	28.8	22.4	51.2	3175	9035	12210	15470	27876	43346	18645	36911	55556
SD	12	72.6	6.8	79.4	4169	26335	30504	935	5565	6500	5124	31900	37024
SD	77	14.7	3.6	18.3	30	6110	6140	400	1210	1610	430	7320	7750
SD	78	56.6		56.6	68	2735	2803				68	2735	2803
SD	195	49.8	1.3	51.1	190	3232	3422				190	3232	3522
SD	196	11.4		11.4	565	2365	2930				565	2365	2930
SD	197	16.6		16.6	25	840	865				25	840	865
SD	198	77.5	1.4	78.9	402	5985	6387	269	310	579	671	6295	6966
SD	199	3.2	5.7	8.9	175	800	975	85	615	700	260	1475	1735
SD	200	55.3	10.5	65.8	748	3080	3828	6300	16200	22500	7048	19286	26328
SD	Tot	388.5	51.7	440.2	9547	60577	70124	29479	51876	75355	33026	112453	145479
SF	2		5.9	5.9				25500	11500	37000	25500	11500	37000
SF	55		2.2	2.2				62	270	332	62	270	332
SF	56		5.9	5.9				12500	36500	43000	12500	36500	43000
SF	68		1.8	1.8				750	7700	8450	750	7700	8450
SF	223		2.3	2.3				15000	16000	31000	15000	16000	31000
SF	224		3.2	3.2				12800	27000	39800	12800	27000	39800
SF	Tot		21.3	21.3				60612	92970	159582	60612	92970	159582







**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Sba	3	51.6	3.2	54.8	1030	18160	19190	400	3035	3435	1430	21195	22625
Sba	20	59.4	3.0	62.4	180	4249	4429	80	815	895	1430	4564	4824
Sba	28	74.2		74.2	45	3985	4030				45	3985	4030
Sba	29	10.7		10.7	21	733	754				21	733	754
Sba	83	56.8		56.8		1300	1300					1300	1300
Sba	209	4.6		4.6		171	171					171	171
Sba	Tot	257.3	6.2	263.5	1276	28598	29874	480	3350	3830	1756	31948	33704
Sie	25	45.3		45.3	81	2628	2709				81	2628	2709
Sie	29	3.2		3.2		105	105					105	105
Sie	38	1.6		1.6	2	350	352				2	350	352
Sie	83	16.5		16.5	40	1000	1040				40	1000	1040
Sie	Tot	66.6		66.6	123	4083	4206				123	4083	4206
Sis	3	41.4	1.7	43.1	525	6924	7449	510	1090	1600	1035	8014	9049
Sis	46	107.1		107.1	245	5979	6224				245	5979	6224
Sis	72	53.0	.9	53.9	80	3540	3620	25	125	150	105	3665	3770
Sis	82	5.1		5.1		840	840					840	840
Sis	83	34.4		34.4	15	932	947				15	932	947
Sis	210	5.0		5.0		200	200					200	200
Sis	Tot	246.0	2.6	248.6	865	18415	19280	535	1215	1750	1400	19630	21030
Sol	7	29.3		29.3	1570	18584	20154				1570	18584	20154
Sol	8	3.0		3.0	40	450	490				40	450	490
Sol	53	22.2	1.0	23.2	190	4220	4410	70	140	210	260	4360	4620
Sol	74	16.8	5.5	22.3	190	1900	2090	350	12660	13010	540	14560	15100
Sol	90	5.2		5.2	75	825	900				75	825	900
Sol	99	14.0		14.0	50	1800	1850				50	1800	1850
Sol	100	3.2		3.2	20	440	460				20	440	460
Sol	101	20.2	.9	21.1	60	1260	1320	5	115	120	65	1375	1440
Sol	208	12.8		12.8	690	13016	13706				690	13016	13706
Sol	Tot	126.7	7.4	134.1	2885	42495	45380	425	12915	13340	3310	55410	58720

**STATE HIGHWAY SYSTEM—Continued**  
**ESTIMATED COSTS**  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Son	1	50.9	1.2	52.1	2445	23331	25776	200	606	806	2645	23937	26582
	8	15.3		15.3	220	4116	4336					4116	4336
	48	6.1		6.1	63	519	582					519	582
	51	31.4	2.8	34.2	909	6402	7311	765	1490	2255	1674	7892	9566
	56	28.6		28.6	262	6675	6937				262	6675	6937
	103	20.1		20.1	324	1800	2124				324	1800	2124
	208	41.4	.6	42.0	936	6753	7689	20	210	230	956	6963	7919
Sta	Tot	203.9	4.6	208.5	5159	50131	55290	985	2306	3291	6144	52437	58581
	4	19.8	3.2	23.0	3025	8347	11372	1000	3000	4000	4025	11347	15372
	13	26.5	2.0	28.5	200	1620	1820	50	230	280	250	1850	2100
	66	4.5	.6	5.1	75	390	465	25	60	85	100	450	550
	84	9.0		9.0	20	720	740				20	740	760
	109	3.9	1.3	5.2	300	590	890		210	210	300	800	1100
	110	50.1	1.4	51.5	905	4855	5760	580	995	1575	1485	5850	7335
Sat	B	27.0		27.0	1350	8100	9450				1350	8100	9450
	Tot	140.8	8.5	149.3	5875	24622	30497	1655	4495	6150	7330	29117	36647
	3	10.2	2.2	12.4	336	1925	2261	50	175	225	386	2100	2486
	15	15.6		15.6	263	975	1238				263	975	1238
	87	26.8		26.8	500	5950	6450				500	5950	6450
	232	17.0		17.0	250	3500	3750				250	3500	3750
	Tot	69.6	2.2	71.8	1349	12350	13699	50	175	225	1399	12525	13924
Teh	3	25.7	1.0	26.7	40	4120	4160	170	315	485	210	4335	4645
	7	25.8	.4	26.2	440	4875	5315	50	300	350	490	5175	5665
	29	103.5		103.5	263	7225	7488				263	7225	7488
	47	25.7		25.7	20	645	665				20	645	665
	83	8.0		8.0	200	200	200				200	200	200
	86	4.7		4.7		125	125					125	125
	Tot	193.4	1.4	194.8	763	17190	17953	220	615	835	983	17805	18788



**STATE HIGHWAY SYSTEM—Continued**  
ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Tri	20	62.2		62.2	160	3950	4110				160	3950	4110
Tri	29	13.3		13.3	20	1000	1020				20	1000	1020
Tri	35	44.2		44.2	59	2423	2482				59	2423	2482
Tri	Tot	119.7		119.7	239	7373	7612				239	7373	7612
Tul	4	21.4		21.4	1375	7440	8815				1375	7440	8815
Tul	10	23.1	1.9	25.0	500	3640	4140	2000	980	2980	2500	4620	7120
Tul	127	59.0		59.0	320	1850	2170				320	1850	2170
Tul	129	65.1	1.7	66.8	1060	8945	10005	30	200	230	1090	9145	10235
Tul	130	11.4		11.4	100	550	650				100	550	650
Tul	131	29.2	.5	29.7	335	1600	1935	140	50	190	475	1650	2125
Tul	132	26.9	3.3	30.2	460	2100	2560	440	680	1120	900	2780	3680
Tul	133	12.9	1.3	14.2	150	600	750	110	195	305	260	795	1055
Tul	134	27.2	2.0	29.2	225	1600	1825	100	700	800	325	2300	2625
Tul	135	34.6		34.6	125	2250	2375				125	2250	2375
Tul	136	8.2		8.2		200	200					200	200
Tul	Tot	319.0	10.7	329.7	4650	30775	35425	2820	2805	5625	7470	33580	41050
Tuo	13	77.6	1.0	78.6	315	5255	5570	150	250	400	465	5505	5970
Tuo	40	45.6		45.6	185	3450	3635				185	3450	3635
Tuo	65	17.5	.6	18.1	65	1510	1575	100	100	200	165	1610	1775
Tuo	Tot	140.7	1.6	142.3	565	10215	10780	250	350	600	815	10565	11380
Ven	2	29.2	3.1	32.3	3415	16570	19985	1745	2355	4100	5160	18925	24085
Ven	9	9.8		9.8	330	3331	3661				330	3331	3661
Ven	60	16.3		16.3	528	3469	3997				528	3469	3997
Ven	79	19.2	4.3	23.5	1240	4220	5460	1109	850	1959	2349	5070	7419
Ven	138	14.5	.8	15.3	3955	2695	6650	1290	215	1505	5245	2910	8155
Ven	151	31.2	1.2	32.4	855	2230	3085	810	130	940	1665	2360	4025
Ven	153	8.9	1.0	9.9	1165	380	1545	355	180	535	1520	560	2080
Ven	154	1.0		1.0	120	130	250				120	130	250
Ven	155	11.7	.2	11.9	332	2065	2397	18	15	33	350	2080	2430
Ven	Tot	141.8	10.6	152.4	11940	35090	47030	5327	3745	9072	17267	38835	56102

**STATE HIGHWAY SYSTEM—Continued**  
ESTIMATED COSTS  
Thousands of dollars

CO.	ROUTE	MILES DEFICIENT			RURAL			CITIES			TOTAL		
		Rural	Cities	Total	Right of way	Construction	Total	Right of way	Construction	Total	Right of way	Construction	Total
Yol	6	16.7	.8	17.5	90	11200	11290	25	75	100	115	11275	11390
Yol	7	28.1		28.1	491	2410	2901				491	2410	2901
Yol	50	53.4		53.4	420	9840	10260				420	9840	10260
Yol	87	11.0		11.0	220	4050	4270				220	4050	4270
Yol	88	12.9		12.9	45	650	695				45	650	695
Yol	90	22.8		22.8	200	2240	2440				200	2240	2440
Yol	99	19.9		19.9	200	1100	1300				200	1100	1300
Yol	Tot	104.8	.8	105.6	1060	31490	33156	25	75	100	1091	31565	33256
Yub	3	12.8	.4	13.2	930	2525	3455	25	785	810	955	3310	4265
Yub	15	18.4	2.4	20.8	145	1580	1725	125	420	545	270	2000	2270
Yub	87	10.0	1.2	11.2	310	1000	1310	40	1150	1190	350	2150	2500
Yub	232	11.0		11.0	350	2500	2850				350	2500	2850
Yub	Tot	52.2	4.0	56.2	1735	7605	9340	190	2355	2545	1925	9960	11885
		10098.6	849.3	10947.9	227445	1401729	1629174	661118	1024679	1685797	888563	2426408	3314971

## HIGHWAY NEEDS

	1953-1958	1958-1963	1963-1968
Beginning -----	\$1,818,249,000	\$1,583,089,000	\$762,775,000
Accumulating -----	817,608,000	494,515,000	286,010,000
Total -----	\$2,635,857,000	\$2,077,604,000	\$1,048,785,000

## REVENUES

	1953-1958	1958-1963	1963-1968
Present (Net) -----	\$725,010,000	\$897,250,000	\$1,106,662,000
One-third increase in highway revenues -----	431,427,000	532,586,000	-----
Total -----	\$1,156,437,000	\$1,429,836,000	\$1,106,662,000

## EXPENDITURES

	1953-1958	1958-1963	1963-1968
Stop gaps -----	\$30,000,000	\$23,000,000	\$19,000,000
Preparatory engineering -----	73,669,000	92,007,000	71,113,000
Construction and road work -----	1,052,768,000	1,314,829,000	1,016,549,000
Total -----	\$1,156,437,000	\$1,429,836,000	\$1,106,662,000
Average annual construction -----	\$210,553,000	\$260,296,000	\$203,310,000
Needs not met -----	\$1,583,089,000	\$762,775,000	\$32,236,000

**MOTION TO TAKE BILL FROM INACTIVE FILE**

Senator Cunningham moved that Senate Bill No. 520 be taken from the inactive file and be re-referred to Committee on Governmental Efficiency.

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Breed asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding authors to a bill be printed in the Journal:

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, March 19, 1953

*Hon. Arthur H. Breed, Jr.*

*Senate Chamber*

*Authors to a Bill—No. 7366*

DEAR SENATOR BREED: You have asked whether additional authors names can be added to a bill.

An examination of the Senate Rules and the Joint Rules of the Senate and Assembly discloses nothing which would prevent such action, and it is our opinion that an amendment to accomplish this objective would be constitutionally unobjectionable.

Such an amendment would not increase the number of bills whether adopted before or after the recess. We note, however, that the customary form of bills does not show the name of the Senator introducing it as "author" but rather states "introduced by Senator X." If this phrase in the heading of the bill were amended to add an additional name, it would then read "introduced by Senators X and Y." Such action would not reflect what actually occurred since the member whose name is added would not in fact have introduced the bill. We do not think, even if this form of amendment were used, that the members whose names were added could be charged with having "introduced" a bill following the constitutional recess within the provisions of Section 2 of Article IV of our Constitution. In such a case the journals of the Legislature would clearly show that only "Senator X" is chargeable with the introduction of the bill.

Although the legal situation is no different, the true facts would be apparent if, instead of amending the heading to read "introduced by Senators X and Y" the heading were amended to read: "introduced by Senator X; *Senators Y and Z as joint authors.*" For that reason we recommend this form of amendment to accomplish your purpose.

Yours truly,

RALPH N. KLEPS, Legislative Counsel  
By A. C. MORRISON, Deputy

**REQUEST FOR UNANIMOUS CONSENT**

Senator Desmond asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel addressed to Senator Regan regarding the repeal of land grant to the United States printed in the Journal:



**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, March 18, 1953

*Hon. Edwin J. Regan*  
*Senate Chamber*

*Repeal of Land Grant to the United States—No. 7059*

DEAR SENATOR REGAN: You ask what effect the enactment of Senate Bill 627 would have.

Senate Bill 627 would repeal Chapter 81 of the Statutes of 1897, which chapter granted to the United States all the right and title of the State of California to the land lying between the high-water mark and a point 300 yards beyond the low-water mark, adjacent and contiguous to such lands of the United States which lie on tidal waters in this State and are held, occupied, or reserved for military purposes or defense.

The act further provides that title to each parcel of land granted shall remain in the United States only so long as the United States continues to hold and own the adjacent lands now belonging to the United States.

It is our opinion that the repeal of Chapter 81 of the Statutes of 1897 would not affect the ownership of the lands therein described.

If Chapter 81 of the Statutes of 1897 is to be interpreted as making grants to the United States of tide lands adjacent to lands acquired by the United States for military purposes subsequent to its effective date, the repeal of the chapter will prevent the United States from acquiring title to such lands as to military establishments set up after the effective date of Senate Bill 627.

In our opinion the bill can have no other possible effect. The repeal of Chapter 81 of the Statutes of 1897 cannot affect the title to any lands that may have heretofore vested in the United States.

An act such as the one under consideration is in the nature of a deed and is subject to the same rules of interpretation as a grant, passing title in fee simple subject to the public purposes for navigation, commerce and fishing (*City of Long Beach v. Marshall*, 11 Cal. 2d 609).

The grant made by the act in question is conditioned upon continued use and ownership of the adjacent lands by the United States. We do not believe that the repeal of this act could be interpreted as intending to modify the grant in this respect, or that it would destroy any right in the state to recover title to the granted lands in the event of breach of this condition.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By BERNARD CZESLA, Deputy

Two copies to Hon. James E. Cunningham pursuant to Joint Rule 34.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 47

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 47**—Relative to congratulating Governor Earl Warren on his sixty-second birthday.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 47, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 47**

**Assembly Concurrent Resolution No. 47**—Relative to congratulating Governor Earl Warren on his sixty-second birthday.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Parkman, Powers, Sutton, Thompson, Way, and Weybret—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 166**

Senator Thompson moved that Senate Bill No. 166 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 166**—An act to add Section 752.5 to the Vehicle Code, relating to admissibility of evidence of violation.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 752.5 to", and insert "amend Sections 511, 511.1, 511.2, 511.3, 512, 530.5, and 670 of, to repeal Sections 511.5 and 511.9 of, and to add Sections 511.5 and 753.1 to,".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 511 of the Vehicle Code is amended to read:

511. Prima Facie Speed Limits. The speed of any vehicle upon a highway not in excess of the limits specified in this section or established as authorized in this code is lawful unless clearly proved to be in violation of the basic rule declared in Section 510 hereof.

The speed of any vehicle upon a highway in excess of any of the limits specified in this section or established as authorized in this code is prima facie unlawful unless the defendant establishes by competent evidence that any said speed in excess of said limits did not constitute a violation of the basic rule declared in Section 510 hereof at the time, place and under the conditions then existing.

The prima facie limits referred to above are as follows and the same shall be applicable unless changed as authorized in this code and, if so changed, then only when signs have been erected giving notice thereof, in which event the speed designated on the sign shall be the prima facie limit:

(a) [Fifteen] *Twenty-five miles per hour*[:]

[(1)] When passing a school building, or the grounds thereof, contiguous to the highway during school recess or while children are going to or leaving such school during opening or closing hours or while the playgrounds of any such school are in use by school children.

[(2)] When traversing a grade crossing of a steam electric or street railway, if during the last 100 feet of the approach to such crossing the driver does not have a clear and unobstructed view of such crossing and of any traffic on such railway for a distance of 400 feet in both directions along such railway.

(3) When approaching or upon a curve or any other part of a highway in the event the driver's view is obstructed within a distance of 100 feet along the highway in the direction in which such driver is proceeding.

(4) When traversing any intersection of highways if during the last 100 feet of his approach to such intersection the driver does not have a clear and unobstructed view of such intersection and of any traffic upon all of the highways entering such intersection for a distance of 100 feet along all such highways, except on a through highway or at a traffic-controlled intersection.]

(b) [Twenty-five] *Thirty miles per hour*[:]

[(1)] In any business or residence district.

[(2)] When upon the grounds of any public school, state university, state college, state, county, or municipal institution or building, veterans' home, or United States Veterans' Administration facility.

(3) Upon a highway bordering upon the grounds of any state hospital, veterans' home or United States Veterans' Administration facility when signs giving notice of the speed limit have been erected. The authority having jurisdiction over the highway may erect such signs whenever considered necessary for the protection of life or property.

(4) Upon that portion of any highway within or bordering upon any public park which passes through or borders upon any public playground or passes any building or other place of public assemblage when signs giving notice of the speed limit have been erected. The authority having jurisdiction over the highway may erect such signs whenever considered necessary for the protection of life or property.]

(c) [Fifty-five] *Fifty-five miles per hour* under all other conditions unless a different speed is [established as provided] *specifically designated* in this code [and signs are in place giving notice thereof.] *or is established by competent authority under procedures set forth in this code.*

(d) *The driver of every vehicle shall, consistent with the requirements of Section 510, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.*

SEC. 2. Section 511.1 of said code is amended to read:

511.1. Establishment of State Speed Zones. (a) Authority to Increase [25-mile] *30-mile* Limit. Whenever the Department of Public Works determines upon the basis of an engineering and traffic investigation that [a speed of 35 miles per hour or 45 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any state highway otherwise subject to a prima facie limit of 25 miles per hour under this code,] *the prima facie speed limit of 30 miles per hour applicable upon any state highway is less than is reasonable or safe under the conditions,* the department may determine and declare a prima facie speed of 35, 40 or 45 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said highway.

(b) Authority to Decrease 55-mile Limit. Whenever the Department of Public Works determines upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour is more than is reasonable or safe upon any portion of a state highway where such prima facie limit of 55 miles is applicable under this code, the department may determine and declare a prima facie speed limit of [45 miles per hour or 35] *50, 45, 40, 35 or 30 miles per hour,* whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said highway.

(c) The authority of the Department of Public Works as set forth in this section shall apply upon all state highways, whether within or outside of the limits of any incorporated city or city and county.

SEC. 3. Section 511.2 of said code is amended to read:

511.2. Authority to Link Districts. (a) By De *Department of Public Works.* Whenever the Department of Public Works determines *upon the basis of an engineering and traffic investigation that the prima facie limit of 55 miles per hour is more*



than is reasonable or safe upon any portion of a state highway for a distance of not exceeding 2,000 feet in length between districts, either business or residence, the department may determine and declare a reasonable and safe prima facie limit thereon lower than [fifty-five] 55 miles per hour, but not less than [twenty-five] 30 miles per hour, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said highway.

(b) By Local Authorities. Whenever a local authority determines upon the basis of an engineering and traffic investigation that the prima facie limit of 55 miles per hour is more than is reasonable or safe upon any portion of a street or highway other than a state highway for a distance of not exceeding two thousand feet in length between districts, either business or residence, such local authority may determine and declare a reasonable and safe prima facie limit thereon lower than [fifty-five] 55 miles per hour, but not less than [twenty-five] 30 miles per hour, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said street or highway.

SEC. 4. Section 511.3 of said code is amended to read:

511.3. When Local Authorities May Alter Prima Facie Limits. (a) Authority to Increase [25-mile] 30-mile Limit. Whenever a local authority, as defined herein, determines upon the basis of an engineering and traffic investigation that [a speed of 35 miles per hour or 45 miles per hour would facilitate the orderly movement of vehicular traffic and would be safe upon any street otherwise subject to a prima facie limit of 25 miles per hour under this code,] *the prima facie speed limit of 30 miles per hour applicable upon any street is less than is reasonable or safe under the conditions,* such local authority may by ordinance determine and declare a prima facie speed of 35, 40 or 45 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon said street.

(b) Authority to Decrease 55-mile Limit. Whenever a local authority as defined herein determines upon the basis of an engineering and traffic survey that the prima facie limit of 55 miles per hour is more than is reasonable or safe upon any portion of any street or highway where such prima facie limit of 55 miles per hour is applicable under this code, such local authority may by ordinance determine and declare a prima facie speed limit of [45 miles per hour or 35] 50, 45, 40, 35 or 30 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon such street.

(c) No local authority shall exercise the powers set forth in this section in reference to any state highway or extension thereof.

SEC. 5. Sections 511.5 and 511.9 of said code are hereby repealed.

SEC. 6. Section 511.5 is added to said code, to read:

511.5. Maximum Speed Limit. In no event shall any motor vehicle be operated in excess of a maximum speed of 65 miles per hour on any highway.

SEC. 7. Section 512 of said code is amended to read:

512. Speed Limit on Highways Where Persons Are At Work. No person shall drive a vehicle [at a speed greater than 25 miles per hour] *in excess of a 30 mile per hour prima facie speed limit* upon any portion of a highway where officers or employees of the agency having jurisdiction of the same, or any contractor of such agency or his employees, are at work on the roadway or within the right of way so close thereto as to be endangered by passing traffic. The provisions of this section shall apply only when appropriate signs, indicating the limits of the restricted zone, and the speed limit applicable therein, are placed by such agency within 400 feet of each end of such zone. Such signs shall display the figures ["25"] "30" as provided in Section 468 and shall indicate the purpose of the speed restriction, but otherwise need not comply with the details set forth in Section 468. Nothing in this section shall be deemed to relieve any operator of a vehicle from complying with the provisions of Section 510.

SEC. 8. Section 530.5 of said code is amended to read:

530.5. Overtaking and Passing Prohibited Upon Grades. [No motor vehicle shall overtake and pass another moving vehicle upon a grade upon any highway outside of a business or residence district unless the overtaking vehicle is capable of traveling and is operated at a speed of at least twelve miles per hour upon said grade.] *In the event any vehicle is being operated on any grade outside of a business or residence district at a speed less than 20 miles per hour no person operating any other motor vehicle shall attempt to overtake and pass such slow moving vehicle unless the overtaking vehicle is operated at a speed of at least 10 miles per hour in excess of the speed of the overtaken vehicle, nor unless the overtaking and passing movement is completed within a total distance not greater than one-quarter of a mile.*

SEC. 9. Section 753.1 is added to said code, to read:

753.1. Evidence of Speed Obtained by Use of Radar Equipment or Electronic Timing Device. Notwithstanding the provisions of Sections 751, 752 and 753, proof of the speed of any motor vehicle in excess of the maximum limit of 65 miles per hour or in excess of any other maximum limit set forth in this code, may be established by evidence of such speed based upon the use of radar equipment or an electronic timing device.



SEC. 10. Section 670 of said code is amended to read :

670. Brakes. (a) No person shall operate on any highway any motor vehicle or combination of motor vehicle and other vehicle or vehicles of a type subject to registration hereunder unless such motor vehicle or at least one unit of any such combination of vehicles is equipped with brakes adequate to bring such motor vehicle or combination of vehicles to a complete stop when operated upon dry asphalt or concrete pavement surface where the grade does not exceed 1 percent at the speeds set forth in the following table within the distances set opposite such speeds :

Miles per hour	Stopping distances
10 -----	[9.3] 7.5 feet
15 -----	[20.3] 16.9 feet
20 -----	[37.0] 30.0 feet
25 -----	[58.0] 46.9 feet
30 -----	[83.3] 67.5 feet
35 -----	[113.0] 91.0 feet
40 -----	[148.0] 120.0 feet
45 -----	[188.0] 151.9 feet

(b) No member of the California Highway Patrol shall require a test of any vehicle for brake efficiency upon a highway at a speed in excess of 20 miles per hour.

(c) If a vehicle is equipped with more than one system of brakes, each shall be maintained in good working order.

(d) The provisions of this section shall not apply to implements of husbandry, special mobile equipment nor equipment operated under special permit as authorized in this code nor shall the stopping distance above specified apply to any chassis without body or load but such chassis shall be equipped with brakes adequate to reasonably control such vehicle.

(e) The driver of any vehicle who fails or refuses to stop and submit the vehicle to a brake test, or to operate the vehicle for a brake test when so instructed by an officer of the California Highway Patrol is guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 783

Senator Thompson moved that Senate Bill No. 783 be withdrawn from Committee on Natural Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 783**—An act to add Section 2607 to the Public Resources Code, relating to mining.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 3, of the printed bill, after "mining", insert "in which nearly all of the material excavated remains permanently on the premises or on lands adjacent thereto,".

#### Amendment No. 2

On page 1, line 6, of said bill, strike out "any of the following exist:" and strike out lines 7 to 15, inclusive, and insert "the operation has affected the agricultural value or productivity of first class farm land which had been used in the production of products or for grazing purposes before the mining operation."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.40 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 587**

Senator Hatfield moved that Senate Bill No. 587 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 587**—An act to add Section 31050 to the Water Code, relating to county water districts.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "A district may purchase, under an agreement with", and insert "Any agreement made to purchase from".

**Amendment No. 2**

On page 1, lines 4 and 5, of said bill, strike out "within the district".

**Amendment No. 3**

On page 1, line 6, of said bill, strike out "and agree to", and insert "may provide that the district shall".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 758**

Senator Abshire moved that Senate Bill No. 758 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 758**—An act to amend Section 3 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to powers of said district.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 3 of", and insert "Sections 3, 12, 16, 19, 22, 26, and 28 of, and to add Sections 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, and 30.17 to,".

**Amendment No. 2**

In line 3 of the title of said bill, strike out "powers of said district", and insert "The Sonoma County Flood Control and Water Conservation District".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 4 of said bill, after line 51, insert

"(s) To prescribe, revise and collect rates or other charges for the services and facilities furnished by it, and may pledge, place a charge upon, contribute or otherwise make available, as security or additional security for the payment of any revenue bonds issued by the district any and all revenues received or receivable from any services or facilities furnished by it.

The district may provide that charges for any services or facilities shall be collected together with and not separately from the charges for other revenues or facilities rendered by it, and that all charges shall be billed upon the same bill and collected as one item. If all or part of a bill is not paid, the district may discontinue any or all services or facilities for which the bill is rendered.

The district may provide for the collection of charges. Remedies for their collection and enforcement are cumulative and may be pursued alternatively or consecutively as the district determines.

The district may provide for a basic penalty of not more than 10 percent for non-payment of the charges within the time and in the manner prescribed by it, and in addition may provide for a penalty of not exceeding one-half of 1 percent per month for nonpayment of the charges and basic penalty. It may provide for collection of the penalties herein provided for.

SEC. 1.5. Section 12 of said act is amended to read :

Sec. 12. The board in any year shall have the power to levy a tax, which shall be in addition to taxes for the payment of and interest on any bonded indebtedness, upon the taxable property in said district. Said tax shall be levied and collected at the same time and in the same manner, together with and not separately from taxes for county purposes, and not to exceed, however, the sum of [two cents (\$.02)] *four cents (\$.04)* on each one hundred dollars (\$100) of the assessed valuation of all property within the district, measured by the county assessment roll last equalized prior to the levying of said tax, to pay the costs and expenses of surveys, compensation for clerical, engineering, legal, printing and advertising of all resolutions, notices, and other matter required to be printed, posted or published, all costs and expenses of legal actions or proceedings, and also the rental or purchase of real or personal property used in connection with such work and surveys, or any other of its purposes and to repay the county any and all moneys loaned to the district for the purposes herein stated and prior to the receipt of taxes.

SEC. 2. Section 13.1 is added to said act, to read :

Sec. 13.1. The board may establish zones within the district to undertake any project or works of improvement. As used in Sections 13.1 to 13.9, inclusive, of this act, "works of improvement" includes, without limitation as to the generality thereof, maintenance, repair, or reconstruction of existing works.

Proceedings for the establishment of a zone may be instituted by the board, by resolution, on its own initiative and shall be instituted by the board upon receipt of a petition requesting the formation of a zone and signed by not less than 25 percent of the owners of real property in the territory proposed to be included within the zone as shown by the last equalized assessment roll of the county. The petition may consist of any number of separate instruments, each of which must comply with all of the requirements of a petition except as to number of signatures.

The procedure for undertaking projects or works of improvement through the creation of zones is an alternate method for undertaking district projects and shall not affect or limit any other provisions of law authorizing or providing for undertaking such projects or works of improvement by the district as a whole.

SEC. 3. Section 13.2 is added to said act, to read :

Sec. 13.2. A petition requesting the formation of a zone for the institution of a project of works of improvement shall :

- (a) Request the board to institute proceedings to establish the zone.
- (b) Describe the boundaries of the territory which is proposed for inclusion in the zone.
- (c) State the specific project or works of improvement for which the zone is to be created.

SEC. 4. Section 13.3 is added to said act, to read :

Sec. 13.3. Before a petition is circulated, the proposed boundaries of the zone shall be submitted to the county boundary commission for recommendation and report as provided in Chapter 3, Title 6, of the Government Code.

SEC. 5. Section 13.4 is added to said act, to read :

Sec. 13.4. Prior to the hearing on the proposal to establish any zone, the board shall direct the chief engineer of the district to make and file a report with the board which shall show :

- (a) A general description of the project or works of improvement for which the zone is to be created.



(b) A general description of any lands, rights of way, easements, and property to be taken, acquired, or injured in carrying out such work.

(c) An estimate of the cost of the project or works, including an estimate of the cost of any lands, rights of way, easements, and property proposed to be taken, acquired, or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance, and other costs which may be incurred in connection therewith.

The report shall be considered by the board which may either accept the report as filed or refer it back to the chief engineer of the district for consideration of such modification or change as the board deems necessary in the best interests of the district.

SEC. 5.5. Section 13.5 is added to said act, to read:

Sec. 13.5. Within thirty days, after receiving an engineer's report on the proposal to establish a zone, which report is satisfactory to the board, the board shall adopt a resolution of intention to establish a zone, which resolution shall contain the following:

(a) A statement that a zone is proposed to be established under the terms of this act and describing the boundaries of the territory proposed for inclusion in the zone.

(b) A statement as to the name proposed for the zone in substantially the following form: "Sonoma County Flood Control and Water Conservation District, Zone No. \_\_\_\_\_"

(c) A description of the project or works of improvement for which the zone is to be created and an estimate of the rate of assessment which must be levied to secure funds for the project or works of improvement and for the maintenance thereof, which will be levied annually upon all taxable real property within the zone.

(d) A statement of the estimated cost of the proposed project or works of improvement.

(e) A statement of the time and place for a public hearing at which the board will consider the establishing of a zone, which hearing shall be not less than thirty days nor more than 60 days after the adoption of the resolution.

SEC. 6. Section 13.6 is added to said act, to read:

Sec. 13.6. The district clerk of the board of supervisors shall publish a notice of hearing at least once seven days prior to the date of the hearing in a newspaper of general circulation published in the county. Notice of the hearing shall also be posted in not less than three public places in the zone at least two weeks before the date of the hearing. The notice shall contain:

(a) The text of the resolution.

(b) A statement of the time and place of the hearing.

(c) A statement as to the place where the engineer's report may be examined.

(d) A statement that at the hearing all written protests against establishment of the zone will be considered and testimony of all interested persons for or against the establishment of the zone will be heard.

SEC. 7. Section 13.7 is added to said act, to read:

Sec. 13.7. At the hearing the board shall hear testimony of all interested persons for or against the establishment of the zone, the inclusion therein of any lands that would not be benefited or the failure to include any lands which would be benefited, and the undertaking of the project of works of improvement. The board shall also receive any written protests by any interested person concerning the establishment of the zone which are filed with the clerk of the board on or before the time fixed for the hearing. Written protests may be withdrawn at any time before the hearing. The hearing may be continued from time to time for a period not to exceed sixty days. At the conclusion of the hearing the board shall consider all testimony and protests presented to it concerning the establishment of the zone, and may, if it determines it to be in the best interests of the district, establish the zone. If the board determines to establish the zone, it shall, by resolution, so declare and fix the boundaries and designate the projects or works of improvement to be performed therein. No land which will not be benefited shall be included in any zone. No zone initiated by petition shall be created, (a) for any project or works of improvement not included in the petition or amendment thereof or (b) which includes lands not within the boundaries proposed in the petition or any amendment thereof.

SEC. 8. Section 13.8 is added to said act, to read:

Sec. 13.8. If at any time before the establishment of a zone there is a written protest filed with the clerk by the owners of real property in excess of 50 percent of the assessed valuation of such property within the zone as shown by the last equalized assessment roll of the county, the proceedings shall be forthwith abandoned and the board shall not, for a period of one year from the filing of the written protest, initiate any proceedings to establish a zone for the same project or works of improvement as that proposed.

SEC. 9. Section 13.9 is added to said act, to read:

Sec. 13.9. Each year at the time the board of supervisors fixes and levies taxes for county purposes, they shall also fix the rates of zone assessments and shall levy the assessment upon the zone. The rate shall be such as will produce, after allowance of not to exceed 15 percent for delinquencies, the amount required to meet the expenditures incident to the project or works of improvement for which the zone is established and the cost of the maintenance thereof or both, during the current fiscal year. The assessment in any one fiscal year shall not exceed an aggregate of twenty-five cents



(\$0.25) on each one hundred dollars (\$100) of assessed valuation for any and all zone projects or works of improvement unless the excess is authorized at an election as provided in this section.

The assessments levied pursuant to this section shall be in addition to any other taxes or assessments provided by this act and shall be levied and collected at the same time and in the same manner as other district taxes and assessments. All funds collected by reason of the assessment shall be expended only on behalf of the zone and only for the purpose for which the zone was formed as set forth in the notice of hearing on the proposal to establish the zone.

Whenever the board determines it in the best interest of a zone to undertake a project or works of improvement which will require a rate of zone assessment in excess of twenty-five cents (\$0.25) on each one hundred dollars (\$100) of assessed valuation it may submit the proposition to the electors within the zone. The board shall, by resolution, call an election for the purpose of proposing the question as to whether or not the assessments in excess of twenty-five cents (\$0.25) for each one hundred dollars (\$100) of excess valuation shall be proposed within the zone, prescribing the notice, time, place, and manner of conducting the election in conformity, as nearly as practicable, with the provisions of the Elections Code governing general elections. An election is invalid unless held within the zone and notice of the time, place, and purpose of the election has been given by publication once a week for at least two weeks in a newspaper of general circulation published within the district and posted in not less than three public places in the zone.

SEC. 10. Section 16 of said act is amended to read :

SEC. 16. After the adoption of said report and estimate of the amount of money required to be raised the board shall call a special election and submit to the qualified voters of said district the proposition :

Shall the district incur a bonded indebtedness for the purpose of providing for the conservation, control and disposition of flood and storm waters of said district and to protect from damage from such storm and flood waters, the waterways, property, public highways, and public places in said district, generating electric energy, and for any other purpose set forth in Section 3 hereof?

The resolution calling the special election shall state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor and shall fix the maximum rate of interest to be paid on said indebtedness which shall not exceed 5 percent per annum, and shall fix the date on which the special election shall be held and the manner of voting for and against the incurring of such indebtedness.

For the purpose of such election, the board shall, in its resolution, establish election precincts within the boundaries of said district, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and appoint two inspectors, two judges and two clerks for each of such precincts.

In all particulars not recited in such resolution, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

At such election all persons whose names appear on the last great register of County of Sonoma as residing within the district shall be entitled to vote, except as herein-after otherwise provided.

Such resolution calling such election shall be published once a day for at least seven days, in some newspaper published at least six days a week in said district, or once a week for two weeks in some newspaper published less than six days a week in such district, and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days a week. No further notice of such election need be given.

Any defect or irregularity in the proceedings prior to the election shall not affect the validity of the bonds.

If at such election, two-thirds or more of the votes are cast in favor of the incurring of such bonded indebtedness, then the bonds of said district, for the amounts stated in such proceedings, shall be issued and sold as provided in this act.

Notwithstanding any other provision of this act, a majority vote shall be sufficient to authorize the issuance of revenue bonds, and a two-thirds vote shall be required only for the issuance of general obligation bonds.

SEC. 11. Section 19 of said act is amended to read :

SEC. 19. Subject to the provisions of this act, the board shall prescribe by resolution the form of the bonds and of the interest coupons attached thereto and shall fix the rate of interest said bonds shall bear, not to exceed 5 percent per annum. The bonds shall mature serially in amounts to be fixed by the board, payment of the bonds commencing not later than five years from the date thereof and being completed in not more than 40 years from said date. The board shall fix the place, or places (which may be within or without the State of California and which shall be designated in said bonds) where said bonds together with the interest thereon shall be payable.

*Callable bonds may be redeemed in such amounts and manner and at such prices as the board may prescribe by resolution.*

SEC. 12. Section 22 of said act is amended to read:

SEC. 22. [The board shall issue and sell the whole or any part of the bonds to the highest bidder or bidders for cash at the best price obtainable therefor, but in no event for less than the par value of such bonds and the accrued interest thereon. Before making a sale of any of the bonds, notices of the sale shall be given by publication in at least one newspaper of general circulation, published in the district by two insertions therein; and no sale shall be had prior to the expiration of fifteen days from the first publication of the notice. The board shall have the right to reject any and all bids when, in its discretion it appears to be the best interest of the district to do so, and may thereafter readvertise as provided in this section for original sale.] *The district may sell the bonds so issued at the times or in the manner the board deems to be to the public interest; provided, that all bonds shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than ten days prior to the date of sale, in a newspaper of general circulation circulating in the district. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale.*

The bonds may be registered with the treasurer in accordance with the provisions of any law applicable to the registration of municipal bonds, and thereafter the principal and interest thereon shall be paid to the proper registered owner thereof.

SEC. 13. Section 26 of said act is amended to read:

SEC. 26. All proceeds received from the sale of the bonds hereunder shall be deposited with the County Treasurer of the County of Sonoma, and be paid out by him only upon authority of the board and by proper warrant. All proceeds from the sale of bonds and interest on such proceeds in excess of the actual cost of all work and improvement and proceedings thereunder may be used for any lawful purposes for which said district was created as in this act provided.

*Notwithstanding any other provisions of this act the board may, in a resolution relating to the issuance of revenue bonds, designate a trustee, fiscal agent or depository to receive the proceeds of sale of said revenue bonds or all or a part of any revenues received or to be received by the district from any enterprise of the district or from any services or facilities furnished or to be furnished the district, all as set forth in such resolution. Any such trustee, fiscal agent, or depository shall be a bank or trust company qualified to do business in the State.*

SEC. 14. Section 28 of said act is amended to read:

SEC. 28. The board shall, at the time for fixing the general tax levy for county purposes and in the manner of such general tax levy provided, levy and collect annually each year until said bonds are paid or until there shall be a sum in the treasury of such district set apart for that purpose to meet all sums coming due for principal and interest on said bonds, a tax sufficient to pay the annual interest on said bonds and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy. There may be included in such tax a sum sufficient, in the judgment of the board to take care of anticipated delinquencies, except that if the maturity of the indebtedness created by the issuance of bonds be made to begin more than one year after the date of the issuance thereof, tax shall be levied and collected annually at the time and in the aforesaid manner, in an amount sufficient to pay the interest on said indebtedness as it falls due and also to constitute a sinking fund for the redemption thereof on or before maturity. The tax herein required to be levied and collected shall be in addition to all other taxes levied for district purposes and shall be collected at the time and in the same manner as other district taxes are collected, and be used for no other purpose than the payment of said bonds and accruing interest.

Such tax shall be levied *only* upon all taxable *real* property, including both land and improvements thereon, within the district excluding any property belonging to any county, municipality, or political subdivision within the district, or property belonging to the State of California or the United States.

The provisions of law of this State prescribing the time and manner of levying, assessing, equalizing and collecting county property taxes including the sale of property for delinquency, and for redemption from such sale, and the duties of the several county officers with respect thereto, so far as they are applicable, and not in conflict with the specific provisions of this act, are hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.

The board shall take the assessment on the equalized roll of the County of Sonoma as the basis for district taxes and have its taxes collected by the county officials of said county. The auditor of such county must, on or before the second Monday of August of each year, transmit to the board a statement in writing showing the total value of all *real* property within the district, which value shall be ascertained from the equalized roll of such county for that year.

The board shall, on or before the first week day in September, or if such week day falls upon a holiday, then upon the first business day thereafter, fix the rate of tax,

and designate the number of cents upon each one hundred dollars (\$100) on the equalized roll, which rate of taxation shall be sufficient to raise the amount previously fixed by the board as hereinabove prescribed. Such acts by the board shall constitute a valid assessment of the property and a valid levy of the tax so fixed. The board must immediately thereafter transmit to the county auditor a statement of the rate of taxes so fixed by said board and the county auditor shall enter such rate upon the county tax roll. Such taxes so levied shall be collected at the same time and in the same manner as county taxes and when collected, the net amount ascertained as hereinafter provided shall be paid to the treasurer of the district under the general requirements and penalties provided by law for the settlement of other taxes.

All taxes levied under the provisions of this act shall be a lien upon the property on which they are levied and unless the board has by resolution otherwise provided the enforcement of the collection of such taxes shall be had in the same manner and by the same means as provided by law for the enforcement of the liens for state and county taxes, all provisions of law relating to the enforcement of the latter being hereby made a part of this act.

The amount of compensation to be charged by and paid to the county for the performance of service, as in this section provided, for and on behalf of such district, shall be fixed by agreement between the board of supervisors of the County of Sonoma, and the board, except that such compensation shall not exceed one-half percent of all moneys collected for such district as in this act provided. The amount so collected by such county shall be placed to the credit of the county salary fund.

SEC. 15. Section 30.17 is added to said act, to read:

Sec. 30.17. Notwithstanding any other provision of this act, the district may authorize, issue and sell revenue bonds pursuant to the provisions of Chapter 6, Part 1, Division 2, Title 5 of the Government Code to provide funds for the acquisition, construction, improving, or financing any one or more revenue producing enterprises for any one or more of the purposes for which the district has been formed. "Enterprise" as used in the section means a revenue producing system, plant, works, or undertaking used for or useful in carrying out any one or more of the purposes of the district. In connection with the authorization, issue and sale of revenue bonds pursuant to this section and so long as any of these bonds remain outstanding, the district may exercise, in addition to the powers covered by this section, any or all of the powers of local agencies provided for in said Chapter 6, Part 1, Division 2, Title 5 of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 75

Senators Abshire and Breed moved that Senate Bill No. 75 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 75**—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay.

Bill read second time.

#### Motion to Amend

Senators Abshire and Breed moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 6, of the printed bill, as amended, strike out "other related public works", and insert "public works incidental thereto".

#### Amendment No. 2

On page 1, line 8, of said bill, as amended, after "Bay," insert "San Pablo Bay, Suisun Bay, and the Sacramento-San Joaquin Delta,".

#### Amendment No. 3

On page 1, line 11, of said bill, as amended, after "purposes.", insert "In conducting the investigation and study the division shall consider, among other problems and without limitation as to the generality thereof, the physical and economic effect of



the proposed barrier or barriers on navigation, transportation, levees, industries and agriculture adjacent to the bays, national defense, silting of the bays and channels, and fish life."

#### Amendment No. 4

On page 1, line 19, of said bill, as amended, strike out "agencies, public or private," and insert "public agencies, Federal, State, or local,".

#### Amendment No. 5

On page 1, line 22, of said bill, as amended, after "act.", insert "The division may also employ, by contract or otherwise, such private consulting engineering and other technical services as it deems necessary for the rendition and affording of such services, facilities, studies, and reports as will best assist it to carry out this act."

#### Amendment No. 6

On page 1 of said bill, as amended, between lines 22 and 23, insert "SEC. 3. It is the intent of the Legislature that in conducting the investigation and study the Division of Water Resources shall confer and exchange information with the United States Navy, the United States Bureau of Reclamation, the United States Corps of Engineers and the local port districts to the extent possible."

#### Amendment No. 7

On page 1, line 23, of said bill, as amended, strike out "SEC. 3.", and insert "SEC. 4."

#### Amendment No. 8

In the heading of said bill, as amended, after "Gibson", insert "; Senators Breed, Hoffman, and Miller, joint authors".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1922

Senator Harold T. Johnson moved that Senate Bill No. 1922 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1922**—An act to amend the chapter heading of Chapter 10 of Division 4 of, to amend Sections 9701, 9191, 9702 of, to add Sections 6807, 7097, 9700, 9700.1, 30, 9701.1, and 9701.2 of, and to repeal Section 9192 of, the Education Code, relating to adult education.

Bill read second time.

#### Motion to Amend

Senator Harold T. Johnson moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert "9700. It is the duty of the public schools to provide educational opportunities for any one or a combination of the following three separate purposes:

- (a) To enable adults to increase their individual proficiency and productivity.
- (b) To enable adults to achieve an adequate standard of literacy and citizenship.
- (c) To enable adults to attain a high school education.

It is hereby declared that by the listing of such three separate purposes in this section it is not intended that any one of such purposes be affected or limited by any other of such purposes."

#### Amendment No. 2

On page 1 of said bill, strike out line 15, and insert "who has attained his 21st birthday."

#### Amendment No. 3

On page 1, line 17, of said bill, strike out "over 21 years of age", and insert "who has attained his 21st birthday."



**Amendment No. 4**

On page 2, line 8, of said bill, before "purpose", insert "principal".

**Amendment No. 5**

On page 2, line 11, of said bill, strike out "Neither", and insert "Nothing in this chapter shall prohibit the establishment and maintenance of any class by the governing board of any school district, but neither".

**Amendment No. 6**

On page 2, lines 20 and 21, of said bill, strike out ", as defined in Section 18192 of this code".

**Amendment No. 7**

On page 2 of said bill, between lines 25 and 26, insert

"However, upon application the State Board of Education may grant approval within the provisions of this act for classes to be conducted elsewhere for which state support will be given; provided, that in no case shall approval be given for such outside classes where such classes are recognized phases of the programs of other governmental agencies for which the governmental agencies have the financial responsibility to provide or where enrollees in such classes are paid while in attendance at such classes or where the location of such outside classes is in the opinion of the State Board of Education restrictive as to the attendance of the public.

Applications upon which such approval shall be based shall contain the name of the course and the location of the class, the name of the instructor and the number of hours per week the class is conducted, the length of the course and a course outline to include texts to be used.

Upon the approval of the Department of Education, attendance in classes for nurses' training maintained by a school district at a place other than a school building shall be reported for the purposes of computing state aid.

As used in this section school building means buildings in which are held the regular day schools of the district.

Such educational program as the Department of Corrections has shall be conducted, maintained, and administered by the school districts and the Department of Corrections shall reimburse the districts for the cost of the program."

**Amendment No. 8**

On page 2 of said bill, strike out lines 34 to 38, inclusive, and insert

"9191. Adults enrolled in all classes, except classes maintained in English and citizenship for foreigners and classes in elementary subjects where no charge of any kind shall be made, may be required by the governing board of the district maintaining the class to pay a tuition."

**Amendment No. 9**

On page 2 of said bill, after line 48, insert

"Sec. 13. It is hereby declared to be the intent of the Legislature in deleting the words "health" and "homemaking" in Education Code Section 9701, as amended by this act, that the educational courses in health and homemaking are included under the term "general education" appearing in such section."

**Amendment No. 10**

In line 3 of the title of said bill, strike out "7097", and insert "9707".

**Amendment No. 11**

On page 2 of said bill, strike out lines 43 to 48, inclusive, and insert

"Sec. 12. Section 9707 is added to said code, to read:

9707. Notwithstanding any provision of law to the contrary, a district shall not become eligible for equalization aid, nor shall a district receive additional equalization aid, nor shall equalization aid be paid, for or on account of the attendance of adult pupils except adult pupils regularly enrolled in a high school or junior college in courses therein which total at least 50 percent of the minimum credit hours a term required for graduation. All moneys which would otherwise be apportioned as a result of the attendance of adult pupils under any other provision of law shall be added to the funds for equalization aid to elementary school districts."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1695**

Senator Hatfield moved that Senate Bill No. 1695 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1695**—An act to amend Sections 744.2, 743, and 746.2 of the Agricultural Code, relating to the California Dairy Industry Advisory Board and the fees collected therefor.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "An act to amend Sections 744.2, 743, and 746.2 of the Agricultural", and insert "An act to add Section 746.2-1 to the Agricultural".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 25, inclusive, and on page 2 strike out lines 1 to 37, inclusive, and insert

"SECTION 1. Section 746.2-1 is added to the Agricultural Code, to read:".

**Amendment No. 3**

On page 2, line 38, of said bill, strike out "746.2", and insert "746.2-1".

**Amendment No. 4**

On page 2, line 39, of said bill, strike out "following that in which this chapter is enacted,".

**Amendment No. 5**

On page 2, line 41, of said bill, strike out "the two preceding sections hereof", and insert "Sections 746 and 746.1".

**Amendment No. 6**

On page 2, line 46, of said bill, strike out "producer handler", and insert "handler".

**Amendment No. 7**

On page 3, line 1, of said bill, strike out "market", and insert "manufacturing".

**Amendment No. 8**

On page 3 of said bill, strike out lines 7 and 8, and insert "Producers and Handlers of Manufacturing Milk Fee Increase".

**Amendment No. 9**

On page 3 of said bill, strike out lines 10 to 20, inclusive, and insert

"Shall the fees required from producers and handlers of manufacturing milk be changed from five mills (\$0.005) for the months of October and May in each fiscal year to two mills (\$0.002) per pound milkfat and collected upon the basis of milkfat of manufacturing milk produced and handled in each calendar month following the determination of this referendum?

Yes----- No-----

Signature of Producer or Handler

Address of Producer or Handler".

**Amendment No. 10**

On page 3, line 24, of said bill, strike out "producer-handler", and insert "handler".

**Amendment No. 11**

On page 3, line 26, of said bill, strike out "producer-handlers of market", and insert "handlers of manufacturing".

**Amendment No. 12**

On page 3, lines 28 and 29, of said bill, strike out "producer-handlers", and insert "handlers".

**Amendment No. 13**

On page 3 of said bill, strike out line 33, and insert "handlers have assented he shall notify each producer".

**Amendment No. 14**

On page 3, line 34, of said bill, strike out "producer-handler".

**Amendment No. 15**

On page 3 of said bill, strike out lines 36 to 38, inclusive, and insert "such fees shall be collected at the rate of two mills (\$.002) per pound of milkfat on the basis of the milkfat of manufacturing milk produced and handled during each calendar month."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1696**

Senator Hatfield moved that Senate Bill No. 1696 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1696**—An act to amend Sections 744.2, 743, and 746.2 of the Agricultural Code, relating to the California Dairy Industry Advisory Board and the fees collected therefor.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 46, of the printed bill, after "each", insert "handler,".

**Amendment No. 2**

On page 3 of said bill, strike out line 6, and insert "handlers, producers and producer-handlers of".

**Amendment No. 3**

On page 3, line 9, of said bill, after "from", insert "handlers,".

**Amendment No. 4**

On page 3, line 10, of said bill, after "(\$0.005)", insert "for the months of October and May in each fiscal year".

**Amendment No. 5**

On page 3, line 16, of said bill, after "of", insert "Handler,".

**Amendment No. 6**

On page 3, line 18, of said bill, after "of", insert "Handler,".

**Amendment No. 7**

On page 3, line 21, of said bill, after "Each", insert "handler, each".

**Amendment No. 8**

On page 3, line 24, of said bill, strike out "producers", and insert "handlers, producers,".

**Amendment No. 9**

On page 3, line 26, of said bill, after "such", insert "handlers,".

**Amendment No. 10**

On page 3, line 29, of said bill, after "such", insert "handlers,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**REPORTS OF STANDING COMMITTEES****Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 133

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 6; absent 4.

ED. C. JOHNSON, Vice-chairman

Above reported bill ordered to second reading.

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 1506

Senate Bill No. 1702

Assembly Bill No. 1993

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 72

Assembly Bill No. 1263

Assembly Bill No. 1872

Assembly Bill No. 1873

Assembly Bill No. 1874

Assembly Bill No. 1875

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 724

Senate Bill No. 1135

Senate Bill No. 93

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 67

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 214

Assembly Bill No. 1892

Assembly Bill No. 839

Assembly Bill No. 1893

Assembly Bill No. 1891

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1771

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Social Welfare.

Committee membership 7; committee vote: Ayes 4; noes 2; absent 1.

ABSHIRE, Chairman

Above reported bill re-referred to Committee on Social Welfare.

## Committee on Fish and Game

## SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 543

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 10; committee vote: Ayes 8; noes 1; absent 1.

ED. C. JOHNSON, Vice-Chairman

Above reported bill ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Transportation.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution re-referred to Committee on Transportation.

## SENATE CHAMBER, SACRAMENTO, March 18, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Joint Resolution No. 16

Assembly Joint Resolution No. 22

Assembly Joint Resolution No. 21

Assembly Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

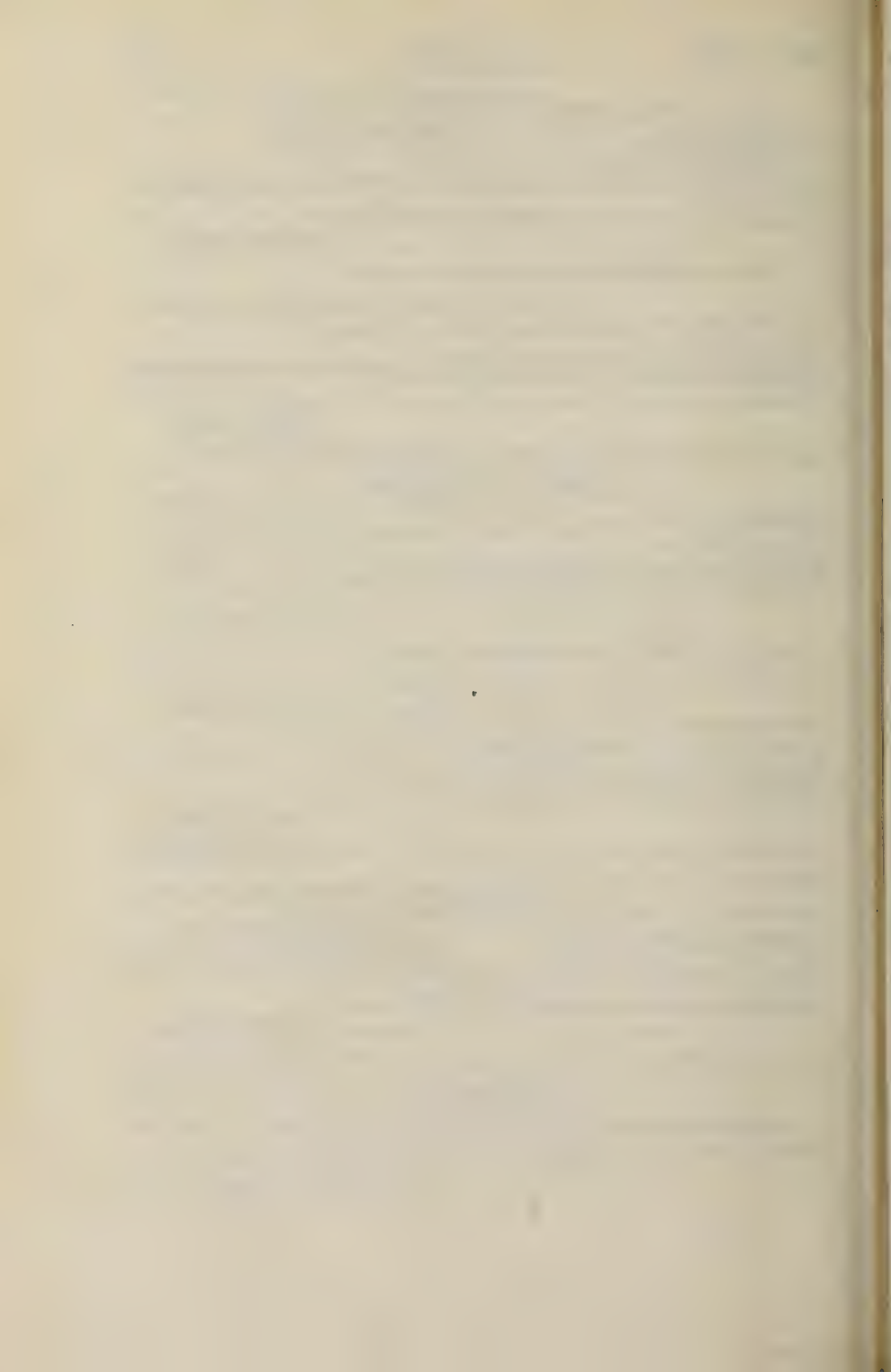
POWERS, Chairman

Above reported resolutions ordered to third reading.

## ADJOURNMENT

At 3.50 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, March 20, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY  
THIRTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, March 20, 1953

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator McCarthy, on motion of Senator Powers, due to legislative business.

Senator Grunsky, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Miller, due to legislative business.

Senator Parkman, on motion of Senator Miller, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton Reiman of Planada and Henry Menke of Merced.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. William A. Smith of Whittier.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. D. E. Porter of Bakersfield; Dr. Annie Dienwiebel of Berlin, Germany, and Roman Warren of Riverside.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers John Miller, Franklin School; Minnie Worley, Nuestro School; Principal Jack Uren, Meridian Elementary School; Principal Merle Russell, Brittan Elementary School, and the following students of these various schools: *Franklin School*—Charles Williams, Wayne Ahlers, Joe Davis, Elmer Stepps, Michael Henry, David Castio, Danny Hooker, Orlin Schuler, Richard Bagley, David Ries, Wanda Looney, Patsy Bagley, Verdell Fulfer, Sandro Frye, Carol Crouch, Barbara Barnett, Carol Kelly, and Nancy Cox; *Nuestro School*—Barbara Rymel, Douglas Shaffer, Dorthy Silva, Arlen Weber, and Jeanne Woods; *Slough School*—Kenneth Summy, Eugene Byrd, and Alfred Smith; *Meridian Elementary School*—David Bagley, Leroy Burrows, Eddie Brown, Robert Kay, Gay Reische, Darnell Hall, Itrice Duncan, Janie Newton, Frankie Moore, Dick Garcia, George Bumgarner, Adella Hemphill, and Sally Lemos; *Brittan Elementary School*—Edward Leon Bates, Virginia Bruce, Donald Calloway, Robert Calloway, Marjory Correll, Gwenny M. DeWitt, Joan Flynn, Bobby Foster, Carol Ann Hauser, Jerry Kersey, Leland La Brue, Wendel Lathrop, Steven Lemenager, Le Roy Owens, Carol Ann Pederson, James Pennington, Doris Reeves, Dora Lou Russell, Carmen Schroeder, Mary Sue Talloy, Carol Marie Thomnsen, Fern Treat, Jimmy Treat, and Laurence Wold.

On request of Senator Breed and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Mitchell of Los Angeles.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kenneth McSwain, chief engineer of the Merced Irrigation District, and Glenn Fountain, member of the Board of Supervisors of Merced County.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John Holt, Chairman, Board of Supervisors of Kern County.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Miss Mabel Haver, Principal Mr. James Quilter, Parents Mrs. Angerina and Mrs. Harvey Miller; and the following students of Tracy Senior Elementary School: Gary Angerina, Rudy Cenicerros, Don Coykendall, Roy Flores, Susan Frazier, Gus Gonzales, Dean Harmon, Dallas Harrison, Kani Hart, Flora Haynes, Jack Hildreth, Pat Horrigan, Douglas Johnson, David Junge, Gerald Jurado, Kenneth Kahn, Edward Kennedy, Edna



Lane, Ella Lasiter, Vincent Lopez, Don McLaughlin, Carolyn Miller, Kenneth Morrow, Darlene Papke, Billy Perry, Christine Peterman, Virginia Rodriguez, Mildred Roper, Roberta Taylor, Ann Tutor, Sherri Weitz, and Betty Woodard.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Irvin Chapman of Fullerton.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob Rundell of San Diego.

**President of the Senate Presiding**

At 10.04 a.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.05 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 405

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Rumford, Smith, and Ernest R. Geddes as a Committee on Conference concerning:

Senate Bill No. 1437—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 330

Senate Bill No. 1666

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 27  
 Assembly Bill No. 34  
 Assembly Bill No. 126  
 Assembly Bill No. 235  
 Assembly Bill No. 240  
 Assembly Bill No. 367  
 Assembly Bill No. 538  
 Assembly Bill No. 633  
 Assembly Bill No. 634  
 Assembly Bill No. 658  
 Assembly Bill No. 838  
 Assembly Bill No. 1341  
 Assembly Bill No. 1344  
 Assembly Bill No. 1393  
 Assembly Bill No. 1394  
 Assembly Bill No. 1395  
 Assembly Bill No. 1396  
 Assembly Bill No. 1398  
 Assembly Bill No. 1399

Assembly Bill No. 1401  
 Assembly Bill No. 1402  
 Assembly Bill No. 1520  
 Assembly Bill No. 1522  
 Assembly Bill No. 1524  
 Assembly Bill No. 1525  
 Assembly Bill No. 1796  
 Assembly Bill No. 2005  
 Assembly Bill No. 2022  
 Assembly Bill No. 2024  
 Assembly Bill No. 2027  
 Assembly Bill No. 2028  
 Assembly Bill No. 2029  
 Assembly Bill No. 2203  
 Assembly Bill No. 2239  
 Assembly Bill No. 2369  
 Assembly Bill No. 3344  
 Assembly Bill No. 3345

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 27**—An act making an appropriation for construction, improvements, repairs, and equipment of a hospital annex and alterations to existing hospital at Pacific Colony, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 34**—An act making an appropriation for construction, improvements, and equipment, Long Beach State College, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 126**—An act to amend Section 6413 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 235**—An act to amend Sections 28127 and 70045 of the Government Code and Section 427 of the Education Code and Section 261d of the Code of Civil Procedure, relating to compensation for public service.

Referred to Committee on Local Government.

**Assembly Bill No. 240**—An act to amend Section 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 367**—An act to add Section 10038 to the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 538**—An act to amend Section 3004 of the Corporations Code, relating to the inspection of corporate records and reports by directors.

Referred to Committee on Public Utilities.

**Assembly Bill No. 633**—An act to add Sections 19406 and 19407 to the Revenue and Taxation Code, relating to personal income taxes, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Referred to Committee on Judiciary.

**Assembly Bill No. 634**—An act to amend Section 25961 of, and to add Sections 25963 and 25964 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Referred to Committee on Judiciary.

**Assembly Bill No. 658**—An act to repeal Section 1411 of the Probate Code, relating to alien guardians.

Referred to Committee on Judiciary.

**Assembly Bill No. 838**—An act to add Section 463 to the Public Utilities Code, relating to contracts to transmit electric power developed by facilities of the Central Valley Project.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1341**—An act to amend Section 2095 of the Financial Code, relating to the transfer of trust business upon the merger, consolidation or sale of banks.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1344**—An act to amend Section 1357 of the Financial Code, relating to investments by savings banks.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1393**—An act to amend Section 22616 of the Financial Code, relating to contracts entered into by personal property brokers.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1394**—An act to amend Section 22210 of the Financial Code, relating to the withdrawal of an application for a license under the Personal Property Brokers Law.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1395**—An act to amend Section 25100 of the Corporations Code, relating to the execution, filing and recording of certificates of general and limited partnership.

Referred to Committee on Judiciary.

**Assembly Bill No. 1396**—An act to amend Section 25502 of the Corporations Code, relating to applications under the Corporate Securities Law.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1398**—An act to amend Section 24610 of the Financial Code, relating to contracts entered into by licensees under the California Small Loan Law.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1399**—An act to amend Section 26003 of the Corporations Code, relating to fees under the Corporate Securities Law.

Referred to Committee on Public Utilities.

**Assembly Bill No. 1401**—An act to amend Sections 18203 and 18206 of the Financial Code, relating to paid-in and unimpaired capital of an industrial loan company.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1402**—An act to amend Section 24210 of the Financial Code, relating to the withdrawal of an application for a license under the California Small Loan Law.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1520**—An act to amend Section 11501 of the Government Code, relating to agencies subject to administrative adjudication provisions of the Administrative Procedure Act.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1522**—An act to amend Section 11383 of the Government Code, relating to filing of administrative regulations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1524**—An act to amend Section 11421 of the Government Code, relating to procedural requirements for adoption of emergency regulations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1525**—An act to amend Section 11422 of the Government Code, relating to the effective filing date of administrative regulations.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1796**—An act to amend Sections 1360, 3102, 3103, 3107, and 18150 of, to repeal Section 1361 of, and to add Sections 1367, 1368, and 1369 to, the Government Code, relating to oaths of office.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2005**—An act to amend and renumber Section 11011 of the Government Code as added by Chapter 1743 of the Statutes of 1951, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Referred to Committee on Governmental Efficiency.



**Assembly Bill No. 2022**—An act to amend Sections 585, 586, and 586.5 of the Probate Code, relating to the deposit of estate funds and assets.

Referred to Committee on Judiciary.

**Assembly Bill No. 2024**—An act to amend Section 999a of the Penal Code, relating to proceedings after indictment.

Referred to Committee on Judiciary.

**Assembly Bill No. 2027**—An act to amend Section 678 of the Penal Code, relating to estimating the value of property in connection with criminal offenses.

Referred to Committee on Judiciary.

**Assembly Bill No. 2028**—An act to repeal Section 598a of the Penal Code, relating to Antwerp and homing pigeons.

Referred to Committee on Judiciary.

**Assembly Bill No. 2029**—An act to amend Section 325 of the Penal Code, relating to the forfeiture of money and property offered for disposal in a lottery.

Referred to Committee on Judiciary.

**Assembly Bill No. 2203**—An act to amend Sections 10051.1 and 10054 of the Elections Code, and to add Sections 10052.1, 10056.1, and 10058 to said code, relating to the consolidation of elections.

Referred to Committee on Elections.

**Assembly Bill No. 2239**—An act to amend Section 1325 of the Penal Code, relating to the privilege of witnesses in narcotics cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 2369**—An act to amend Sections 311 and 332 of the Vehicle Code, relating to the cancellation, suspension or revocation of operators' or chauffeurs' licenses and providing for an additional period of suspension where person drives after refusal, suspension or revocation of license.

Referred to Committee on Transportation.

**Assembly Bill No. 3344**—An act to amend Section 290 of the Penal Code, relating to registration of sex offenders.

Referred to Committee on Judiciary.

**Assembly Bill No. 3345**—An act to add Section 23772.5 to the Revenue and Taxation Code, relating to the filing of returns for bank and corporation tax purposes.

Referred to Committee on Revenue and Taxation.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 208

Assembly Bill No. 394

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 208**—An act to amend Section 28120 of the Government Code and Section 79.49 of the Code of Civil Procedure, relating to compensation for services performed for counties of the twentieth class.

Referred to Committee on Local Government.

**Assembly Bill No. 394**—An act to amend Section 6448 of the Streets and Highways Code, relating to notices of payments to bond holders.

Referred to Committee on Local Government.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 7	Senate Bill No. 721
Senate Bill No. 8	Senate Bill No. 781
Senate Bill No. 134	Senate Bill No. 854
Senate Bill No. 196	Senate Bill No. 882
Senate Bill No. 202	Senate Bill No. 1131
Senate Bill No. 476	Senate Bill No. 1180
Senate Bill No. 556	Senate Bill No. 1834

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 52	Senate Bill No. 1060
Senate Bill No. 71	Senate Bill No. 1329
Senate Bill No. 833	Senate Bill No. 1346
Senate Bill No. 880	Senate Bill No. 1349
Senate Bill No. 881	Senate Bill No. 1425

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 19, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 626**—An act to add Section 6221 to the Public Resources Code, relating to state lands.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 627**—An act to repeal Chapter 81 of the Statutes of 1897, relating to the relinquishing to the United States of America the title of this State of certain lands.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1224**—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 697**—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of interest-bearing certificates to state agencies by the authority, and providing for the payment of the certificates and the rights of the holders thereof; and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In lines 12, 13, and 14, of the title of the printed bill, as amended, in the Senate March 9, 1953, strike out "and increasing the powers and duties of the Division of Architecture, Department of Public Works;"

##### Amendment No. 2

On page 2, line 24, of said bill, as amended, after "during", insert "and for a period of six months after".

##### Amendment No. 3

On page 2, line 35, of said bill, as amended, strike out "State Treasurer," and insert "Secretary of State and".

##### Amendment No. 4

On page 2, line 36, of said bill, as amended, strike out ", and two members appointed by the", and insert "a period".

##### Amendment No. 5

On page 2, of said bill, as amended, strike out all of lines 37 to 46, inclusive.

##### Amendment No. 6

On page 3, line 10, of said bill, as amended, after "each", insert "fiscal".

##### Amendment No. 7

On page 4, line 15, of said bill, as amended, after "Lease", insert "real".

##### Amendment No. 8

On page 5, line 15, of said bill, as amended, after "insurance", insert "against loss by fire or other hazards".

##### Amendment No. 9

On page 5, line 30, of said bill, as amended, strike out "commission", and insert "authority".

##### Amendment No. 10

On page 6, line 4, of said bill, as amended, after "certificates", insert "issued to construct such project".

##### Amendment No. 11

On page 6, line 10, of said bill, as amended, strike out "33", and insert "30".

##### Amendment No. 12

On page 6, line 16, of said bill, as amended, after "completed", insert "or useable".

**Amendment No. 13**

On page 6, line 17, of said bill, as amended, strike out "33", and insert "30".

**Amendment No. 14**

On page 6, line 39, of said bill, as amended, after "sold", insert "at their face value".

**Amendment No. 15**

On page 6, line 41, of said bill, as amended, strike out "at", and insert "with".

**Amendment No. 16**

On page 6, line 42, of said bill, as amended, after "agency", insert "subject to approval of the Department of Finance".

**Amendment No. 17**

On page 6 of said bill, as amended, between lines 43 and 44, insert "Payment of the purchase price may be made in accordance with mutual agreement between the state agency and the authority."

**Amendment No. 18**

On page 7 of said bill, as amended, between lines 3 and 4, insert  
"(a) Pledging all or any of the revenues, rentals, or receipts of the authority from specific properties."

**Amendment No. 19**

On page 7, line 4, of said bill, as amended, strike out "(a)", and insert "(b)".

**Amendment No. 20**

On page 7, line 7, of said bill, as amended, strike out "(b)", and insert "(c)".

**Amendment No. 21**

On page 7, line 8, of said bill, as amended, strike out "(c)", and insert "(d)".

**Amendment No. 22**

On page 7, line 11, of said bill, as amended, strike out "(d)", and insert "(e)".

**Amendment No. 23**

On page 7, line 16, of said bill, as amended, strike out "(e)", and insert "(f)".

**Amendment No. 24**

On page 7, line 18, of said bill, as amended, strike out "(f)", and insert "(g)".

**Amendment No. 25**

On page 7, line 19, of said bill, as amended, strike out "(g)", and insert "(h)".

**Amendment No. 26**

On page 7, line 22, of said bill, as amended, strike out "(h)", and insert "(i)".

**Amendment No. 27**

On page 9, line 19, of said bill, as amended, after "The", insert "acquisition".

**Amendment No. 28**

On page 11 of said bill, as amended, strike out all of lines 48 to 52, inclusive.

**Amendment No. 29**

On page 12 of said bill, as amended, strike out all of lines 1 to 52, inclusive.

**Amendment No. 30**

On page 13 of said bill, as amended, strike out all of lines 1 to 31, inclusive, and insert "15820. All money received by the authority from whatever source derived, shall be transmitted by the authority at least once in every calendar month to the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the Public Works Construction Fund, which fund is hereby created. There shall be maintained within the fund three separate accounts for each series of certificates covering all the projects authorized at any one session of the Legislature:

- (a) A construction account
- (b) A revenue account
- (c) A sinking fund account

There shall be deposited to the credit of the respective series in the construction account the proceeds from the sale of each series of certificates authorized under the provisions of this part. The money in each such account shall be expended pursuant to claims filed by the authority with the State Controller, for the purposes authorized by this part, or as provided in the resolution, for the acquisition, construction, and



completion of the cost of the project, and in addition, for the payment of all costs and expenses of, and incident to, the issuance and sale of certificates, and the payment of interest due or to become due on the certificates during the period of actual construction, and for such further period as may be specified in the resolution for the issuance of the certificates, not exceeding two years after the period of construction.

There shall be deposited to the credit of the respective series in the revenue account all revenues, rentals, or receipts received from the operation of each series of projects acquired, constructed, or operated by the authority under the provisions of this part, and all other money received by the authority from whatever source derived, the disposition of which is not otherwise provided by this part.

The money in each revenue account shall be expended for the payment of the costs of operation and maintenance of the projects authorized by this part, including administrative expenses of the authority, and for such other purposes as may be provided in the resolution, and such other restrictions provided by law, or the resolution, for such purposes as may be authorized by said resolution.

All money in each revenue account, except that part required to pay the costs of operating the authority, as provided for in the resolution authorizing the issuance of the certificates, shall be set aside at regular intervals as provided in the resolution in separate sinking fund accounts for each series of certificates, which are pledged to and charged with the payment of:

(a) The interest upon such certificates as the interest falls due

(b) The principal of the certificates as it falls due

(c) Any premium upon certificates retired by call or purchase

The use and disposition of the sinking fund account is subject to the regulations provided in the resolution. Each separate sinking fund account is an account for the benefit of each of the respective series of the certificates issued, without distinction or priority of one over another, except as to series. Subject to the provisions of the resolution, any money in the sinking fund account of each series in excess of the amount equal to one year's interest on all certificates of that series then outstanding may be applied to the purchase or redemption of certificates of such series. All certificates purchased or redeemed shall be cancelled and shall not be issued again.

15821. The authority may provide in the resolution for the allocation of financial and administrative costs of the authority during the period of actual construction, and for such further period as may be specified in the resolution for the issuance of the certificates, not exceeding two years, between the money in each construction account and the money in each revenue account.

15822. Subject to the limitations as may be provided in the resolution providing for the issuance of certificates, and subject to the obligations of the authority to its certificate holders, the Department of Finance is authorized with the approval of the authority, to invest and reinvest surplus moneys in any of the accounts in the Public Works Construction Fund, as determined by resolution of the authority, in bonds or other obligations of the United States, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest, or of the State of California, or of the several counties or municipalities or other political subdivisions of the State of California, and to sell such bonds, or obligations, or any of them, upon direction of the authority. All securities or other investments made under the provisions of this part shall be held by the State Treasurer as custodian thereof.

All interest received or other earnings derived from such investments shall be collected by the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the account in the fund from which such interest or other earnings were derived.

15823. The plans and specifications of any public works constructed pursuant to this part shall be prepared by the Division of Architecture, Department of Public Works, and the authority shall pay the division for such services from the funds of the authority available for the purpose. Any public works constructed under the provisions of this part shall be subject to the provisions of the State Contract Act."

#### Amendment No. 31

On page 13, line 32, of said bill, as amended, strike out "15823", and insert "15824".

#### Amendment No. 32

On page 13, line 38, of said bill, as amended, strike out "15824", and insert "15825".

#### Amendment No. 33

On page 13, line 44, of said bill, as amended, strike out "15825", and insert "15826".

#### Amendment No. 34

On page 14, line 5, of said bill, as amended, strike out "15826", and insert "15827".

**Amendment No. 35**

On page 14, lines 3 and 4, of said bill, as amended, strike out "other than inheritance taxation within the State".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 1194**—An act to repeal Section 5154 of the Public Resources Code, and Article 3 of Chapter 3 of Division 1, comprising Sections 96 and 97, of the Agricultural Code, and to add Sections 25905 to 25908, inclusive, to the Government Code, relating to county fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 2, line 32, of the printed bill as amended in Senate March 5, 1953, after the period, insert "If such contract involves the use of property acquired with money derived from the State or if the contract contemplates the allocation of state money for such fair, the contract shall be subject to approval by the Department of Finance."

**Amendment No. 2**

On page 2, line 43, of said bill, as amended, after the period, insert "Upon the dissolution of any such corporation all property and assets thereof within the county with which it contracts shall be paid to such county."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 133**—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 20, of the printed bill, after "refuge", insert "or preserve".

**Amendment No. 2**

On page 2, line 4, of said bill, after "district", insert a comma.

**Amendment No. 3**

On page 2, line 5, of said bill, after "refuge", insert "or preserve heretofore or hereafter established by statute,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1506**—An act to add Section 18110 to the Health and Safety Code, relating to housing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, strike out "seven thousand dollars (\$7,000)", and insert "five thousand dollars (\$5,000)".

**Amendment No. 2**

On page 1, line 5, of said bill, strike out the comma, and insert "or".

**Amendment No. 3**

On page 1, line 6, of said bill, strike out "30", and insert "50".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 1702**—An act to add Section 16900.1 to the Health and Safety Code, relating to gas appliance vents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 16900.1 to", and insert "amend Section 16900 of".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 16900 of the Health and Safety Code is amended to read:

16900. Every gas burning appliance shall be approved by a nationally recognized testing agency. Every gas burning appliance, except ranges, hot plates, refrigerators [approved by such agencies for unvented use], and heating equipment designed and approved for unvented use by a nationally recognized testing agency, shall be connected to an effective flue or vent leading to the outside air, not less in size than the vent collar on the appliance. Vents or flues for all appliances except those with forced draft or sealed combustion chambers shall extend one (1) foot above the highest portion of any building within fifteen (15) feet horizontally of the vent termination. Every vent or flue extending above the roof line shall terminate in a cap with a vent capacity of not less than that of the flue or vent. Appliances with forced draft or sealed combustion chambers shall be vented in accordance with the manufacturer's instructions. Every gas burning appliance designed and approved by a nationally recognized testing agency for unvented use shall be equipped with an approved thermostat and a 100 percent safety shut-off valve controlling pilot and main burner. All gas fired appliances shall be connected to gas outlets with metallic pipe or tubing with threaded connections."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 72**—An act to amend Section 11200 of the Health and Safety Code, relating to exemption of certain narcotics from the provisions requiring prescriptions for the issuance of narcotics.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 724**—An act to add Sections 2600.6 and 2600.7 to the Health and Safety Code, relating to the control of tuberculosis and communicable disease.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2600.6 and 2600.7", and insert "3300.46 and 2600.6".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "2600.6", and insert "3300.46".

**Amendment No. 3**

On page 1, line 3, of said bill, strike out "2600.6", and insert "3300.46".

**Amendment No. 4**

On page 1, line 12, of said bill, strike out "2600.7", and insert "2600.6".

**Amendment No. 5**

On page 1 of said bill, strike out line 14, and insert "2600.6. Upon any subsequent conviction under the".

**Amendment No. 6**

On page 1, line 16, of said bill, strike out "second conviction", and insert "subsequent conviction, or such other penalty as provided by said section".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1135**—An act to amend Section 14455.1 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, lines 6, 7, 8, and 9 of the printed bill, strike out "The commissioners may allow themselves and the employees of the district reasonable expenses, including transportation, in attending professional or vocational meetings outside the county in which the district is situated.", and insert "On adoption of a resolution of the board of supervisors permitting reimbursement for travel expense and establishing maximum amounts allowable, the commissioners and employees of the district may be reimbursed for reasonable expenses, including transportation, in attending professional or vocational meetings outside the county in which the district is situated."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 93**—An act to add Section 2855 to the Health and Safety Code, relating to pest abatement districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out the period, and insert ", and declaring the urgency thereof, to take effect immediately."

**Amendment No. 2**

On page 1, after line 13, of said bill, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The citrus industry of California has suffered great damage from the ravages of armored scale insects, especially "Yellow Scale." A program for controlling and eradicating this pest has been developed but it requires spot chemical treatment of the



infected area immediately upon discovery of the infested trees, followed by two eradication treatments over the entire cultivated unit or over an area 240 feet out in all directions from the infested trees. The first eradication treatment must be commenced in April or May, after the blooming of the citrus trees, and the second eradication treatment must be given not less than 30 days, but not more than 45 days, after the first eradication treatment; in any event, however, both eradication treatments must be completed by September of the same year. These treatments are necessary not only to save the crops of the infested citrus trees, but also to prevent the spread of "Yellow Scale" to uninfested areas. These treatments require an immediate expenditure of funds by pest abatement districts, but it is presently possible to raise this money only by taxation, which funds will not become available before January, 1954. Therefore, in order for infested areas to be treated this year, this act, which gives pest abatement districts the power to borrow money, and which is necessary for the preservation of the peace, health, and safety of the citizens of this State, must take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 67**—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor:

##### Amendment No. 1

On page 2, line 10, of the printed bill, as amended in Senate March 13, 1953, insert "exempt from federal income tax under Section 101 (6) of the Internal Revenue Code,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 214**—An act to amend Section 1688 of the Labor Code, relating to licensing of farm labor contractors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 543**—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, and 18 of, and to add Sections 16, 16.1, and 16.2 to, the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 27, of the printed bill, strike out "on".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 309**—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, for public purposes and benefits, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Assembly March 2, 1953, strike out lines 6 to 23, inclusive.

**Amendment No. 2**

On page 2 of said bill, as amended, strike out line 1.

**Amendment No. 3**

On page 2, line 2, of said bill, as amended, strike out "feet to the point of beginning.", and insert "Beginning at an angle point in the southwesterly line of Railroad Avenue, City of Sausalito, said point being the most northerly corner of Block 270, as shown on "Map No. 1 of Salt Marsh and Tide Lands, Situate in the County of Marin, State of California, 1870," as surveyed by G. F. Allardt, Chief Engineer of the Tide Land Survey, in 1870, and of record by virtue of being filed in the office of the State Lands Commission at Sacramento, California. Thence from this angle point which is the true point of beginning running along the westerly line of Railroad Avenue, S. 7° 30' E., 814.947 feet to the northwesterly line of "B" Street, thence along the northwesterly line of "B" Street S. 33° 48' W., 264.0 feet to the northeasterly line of Humboldt Avenue, thence along the northeasterly line of Humboldt Avenue S. 56° 12' E., 60.00 feet to the southeasterly line of "B" Street, thence along the southeasterly line of "B" Street N. 33° 48' E., 195.36 feet to the aforesaid westerly line of Railroad Avenue. Thence along the westerly line of Railroad Avenue, S. 7° 30' E., 259.38 feet to the southeasterly corner of Block 2 as shown on Map No. 1 previously referred to. Thence crossing Railroad Avenue N. 82° 30' E., 200.0 feet to the easterly line of Railroad Avenue, thence along the easterly line of Railroad Avenue S. 7° 30' E., 406.09 feet to a point, thence S. 56° 12' E., 81.44 feet to the westerly boundary line of the lands granted to the City of Sausalito by Chapter 13 of the Statutes of 1951, thence along said boundary line north 27.65 feet to the northwesterly corner of said tract, thence continuing along said boundary east 600.0 feet to the northeast corner of said tract, thence leaving said tract N. 13° 22' 48" W., 1,020.566 feet to the southwesterly line of Railroad Avenue, if extended southeasterly, thence along said avenue line, so extended, N. 56° 12' W., 1,005.0 feet to the point of beginning, containing 21.89 acres more or less."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1901**—An act to codify certain statutes, relating to surveying and mapping, by adding Division 8 to the Public Resources Code and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1993**—An act to amend Section 32002 of the Health and Safety Code, relating to hospital districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 32001 and".

**Amendment No. 2**

In line 2 of the title of said bill, after "districts", insert "and validating certain proceedings with respect to such districts".

**Amendment No. 3**

On page 1, line 1, of said bill, strike out "32002", and insert "32001".

**Amendment No. 4**

On page 1 of said bill, between lines 2 and 3, insert "32001. A local hospital district may be organized, incorporated and managed, may annex or exclude territory, or consolidate with other such districts or may be dissolved, as provided in this division and may exercise the powers herein granted or

necessarily implied. Such a district may include incorporated or unincorporated territory, or both, or territory in any one or more counties. The territory comprising this district need not be contiguous but the territory of a municipal corporation shall not be divided.

Sec. 2. Section 32002 of said code is amended to read:".

#### Amendment No. 5

On page 1, line 14, of said bill, after the period, insert "For the purposes of said chapter, the requisite number of petitioners or protestants shall be, unless otherwise prescribed in this division, 15 percent of the total number of registered voters in the territory affected by the petition or proposal.

Sec. 3. Any proceedings for the annexation, exclusion or consolidation of territory taken prior to the effective date of this act by any hospital district formed under Division 23 of the Health and Safety Code, shall be valid for all purposes if taken in accordance with Section 32002 of said code as amended by this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Assembly Bill No. 1263**—An act to amend Sections 10036, 10653, and 10654 of, and to repeal Sections 10051 and 10052 of, the Health and Safety Code, relating to vital records and public health.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1872**—An act to codify Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939, relating to housing authorities, by adding Chapter 1.5 to Part 2 of Division 24 of the Health and Safety Code, and by adding Sections 34369, 34370, and 34371 thereto, and repealing Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1873**—An act to codify Chapter 17 of the Statutes of 1907, relating to hospitals, by adding Division 23.5, comprising Sections 32500 to 32508, inclusive, to the Health and Safety Code, and repealing Chapter 17 of the Statutes of 1907.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1874**—An act to codify Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935, relating to fire protection, by adding Sections 13007, 13008, 13009, 13010, and 13052.5 to the Health and Safety Code, and repealing Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1875**—An act to codify Chapter 578 of the Statutes of 1911, relating to cemeteries, by adding Sections 8134 and 8560.5 to the Health and Safety Code, and repealing Chapter 578 of the Statutes of 1911.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 839**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1891**—An act to amend Section 5952 of the Labor Code and to repeal Section 9 of Chapter 606 of the Statutes of 1951, relating to judicial review of orders, decisions or awards of the Industrial Accident Commission.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1892**—An act to codify certain statutes relating to the health and safety of employees, by adding Article 5, comprising Sections 2440 and 2441, to Chapter 1 of Part 9, Division 2 of the Labor Code, and by repealing Chapter 278 of the Statutes of 1913, and Chapter 485 of the Statutes of 1915.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1893**—An act to add Section 1018 to the Labor Code, relating to the wearing of labor union buttons, and to repeal an act entitled "An act to prevent persons from unlawfully wearing the button of any labor union of this State," approved March 20, 1909.

Bill read second time, and ordered to third reading.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1216**—An act to amend Section 4532 of the Penal Code, relating to the punishment of escapes from jail, industrial farm, road camp or custody of officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, and Weybret—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 97**—An act to add Chapter 7 to Part 5 of Division 3 of Title 5 of the Government Code, relating to contracts between community service districts and the Federal Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, and Williams—26.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1604**—An act to amend Section 1508 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

#### Motion to Amend

Senator Hulse moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 11 to 13, of the printed bill, as amended in Senate March 18, 1953, strike out "Aid shall not be granted unless the stepfather joins in the application and furnishes information concerning his income and expenses."



**Amendment No. 2**

On page 1, line 16, of said bill, as amended, before the period, insert "if without support from such stepfather they would be needy children eligible for aid under this chapter."

**Amendment No. 3**

On page 1 of said bill, as amended, strike out lines 19 and 20, and insert "A natural father is not relieved of any legal obligation to support his children by the liability for their support imposed upon their stepfather by this section."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 52**—An act to authorize the Director of Finance to grant to San Joaquin County rights of way for road purposes over the farm property of the Stockton State Hospital.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 781**—An act to amend Section 13841.1 of the Education Code, relating to sick leave of school district employees.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 10.40 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**RECESS**

At 10.41 a.m., on motion of Senator Dilworth, the Senate recessed for the purpose of allowing Senator Dilworth to introduce a distinguished guest.

Senator Erhart and Senator Dilworth escorted Dr. Annie Dienwiebel, Member of Parliament of the City of Berlin, to the rostrum where she addressed the Senate concerning the great exodus of fugitives from East Berlin into the West Sector, and also expressed her joy in the recent actions of the United States and West Germany in signing the peace treaty.

**REASSEMBLED**

At 10.49 a.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.50 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 882**—An act to amend Section 20432 of the Education Code, relating to state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, and Weybret—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1834**—An act to add Section 7431.3 to the Education Code, relating to school district bonding capacity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Ward, and Weybret—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 833**—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

MOTION TO RE-REFER SENATE BILL NO. 833

Senator Powers moved that Senate Bill No. 833 be re-referred to Committee on Finance.

Motion carried.

**Senate Bill No. 1425**—An act to amend Section 20393 of, and to add Section 20393.1 to the Education Code, relating to dismissal of employees of state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 880**—An act to amend Section 17026 of the Business and Professions Code, relating to definition of cost in the Unfair Practices Act.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 881**—An act to amend Section 17044 of the Business and Professions Code, relating to “loss leaders” in the Unfair Practices Act.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Sutton, Tenney, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 196**—An act to amend Sections 9609, 9650, 9651, 9655, 9656, 9715, 9751, 9756, 9758, 9766, and 9767 of, and to add Sections 9608.6, 9650.1, 9650.3, and 9757.5 to, the Business and Professions Code, and to add Section 8250.5 to the Health and Safety Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 1346**—An act to amend Section 1628 of the Business and Professions Code, relating to practice of dentistry.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1131**—An act to amend Sections 14453, 14455, 14455.1, and 14455.2 of the Health and Safety Code, relating to the election of commissioners of county fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 7**—An act to amend Section 28111 of the Government Code, relating to the compensation of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Powers, Tenney, Thompson, Ward, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 8**—An act to amend Section 411 of the Education Code, relating to the salary of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 134**—An act to amend Section 31 of the Municipal Water District Act of 1911, relating to municipal water districts comprised of land in two or more counties.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 202**—An act to amend Section 406 of the Education Code, relating to the salaries of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1329**—An act to add Sections 50022.1 to 50022.8, inclusive, to, and to repeal Sections 36970, 36971, 36972 and 50022 of, the Government Code, relating to the enactment of codes by local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 87**—An act to amend Section 28 of the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), relating to water district assessments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 854**—An act to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

Bill read third time.

#### Motion to Amend

Senator Ward moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Section 69990 and the heading of Article 10, Chapter 5, Title 8, of the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 2. The heading of Article 10, Chapter 5, Title 8, of the Government Code is amended to read:

Article 10. Official Reporters in Counties with a Population of  
[127,000 to 130,000] 70,000 to 100,000

SEC. 3. Section 69990 of said code is amended to read:

69990. In each county with a population of more than [127,000] 70,000 and less than [130,000] 100,000, as determined by the [1950] 1940 federal census, to assist

the court in the transaction of its judicial business, a majority of the judges of the superior court for such county may appoint as many regular official phonographic reporters as necessary to report the proceedings in the court. The number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for the court. The reporters shall hold office during the pleasure of a majority of the judges of said court.

SEC. 4. Sections 2 and 3 of this act become operative only if Title 8 of the Government Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said title takes effect, at which time Section 261g of the Code of Civil Procedure is repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 721**—An act to amend Sections 53679, 71381, and 71384 of the Government Code and Sections 116d and 116h of the Code of Civil Procedure, relating to a uniform accounting system for, and bank accounts of justice and municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Ward, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

#### MOTION TO RETAIN PLACE ON FILE

Senator Hulse moved that Senate Bill No. 1604 be passed on file, and retain its place on file.

Motion carried.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1384

Senator Miller moved that Senate Bill No. 1384 be withdrawn from Committee on Institutions and re-referred to Committee on Education.

Motion carried.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Busch asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 44, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 44

**Assembly Concurrent Resolution No. 44**—Relative to congratulating M. F. Small on his appointment as Administrative Assistant to Senator Thomas H. Kuchel.

Resolution read, and presented by Senator Busch.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### President pro Tempore of the Senate Presiding

At 11.33 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Breed asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 26, at this time, for consideration.

**CONSIDERATION OF SENATE JOINT RESOLUTION NO. 26**

**Senate Joint Resolution No. 26**—Relative to submerged lands.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Kraft, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—24.

**NOES**—Senators Donnelly, Harold T. Johnson, Miller, and Montgomery—4.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 569**—An act to amend Section 123 of the Welfare and Institutions Code, relating to the Department of Social Welfare.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Tenney, Ward, and Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 39**—An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1884**—An act to codify certain statutes relating to the system of education and schools of the State, by adding Article 12 to Chapter 1 of Division 5 of the Education Code, Section 20463 to said code, Chapter 7 to Division 12 of said code, and Article 3 to Chapter 6 of Division 12 of said code, and to repeal certain acts specified herein.

Bill read third time, and presented by Senator Donnelly.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1373**—An act to amend Section 2319 of the Business and Professions Code, relating to the healing arts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1377**—An act to add Section 2293 to the Business and Professions Code, relating to the healing arts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2228**—An act to add Article 5.5 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to revenue bonds of county sanitation districts.

Bill read third time, and presented by Senator Thompson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 215**—An act to amend Section 29431 of the Government Code, relating to sheriff's special fund.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Thompson, Ward, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3034**—An act to amend Section 28144 of the Government Code, relating to salaries of officers in counties of the forty-fourth class.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.



**Assembly Joint Resolution No. 16**—Relative to designating a strategic and critical materials stockpile in the City of Sacramento.

Resolution read, and presented by Senator Berry.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 21**—Relative to extension of time for application for educational television channels.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Ward, and Williams—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Joint Resolution No. 22**—Relative to the location of the new Air Force Academy.

Resolution read, and presented by Senator Ed. C. Johnson.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 37**—Relative to the eightieth birthday of Col. Ed. Fletcher.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Murdy, Powers, Sutton, Tenney, Thompson, Ward, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 12.20 p.m., on motion of Senator Hatfield, further proceedings under the call of the Senate were dispensed with.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Williams moved that Senate Bill No. 256 be taken from the inactive file, and placed on the second reading file.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1360**

Senator Miller moved that Senate Bill No. 1360 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1360**—An act to add Section 202.5 to the Business and Professions Code, relating to funds of boards within the Department of Professional and Vocational Standards.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, after "Standards", insert "and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert "202.5. Notwithstanding any other provision of law, the Board of Nurse Examiners of the State of California, subject to the approval of the Director of Professional and Vocational Standards and the Director of Finance as to amount, terms, and provisions respecting repayment, may loan funds to the Board of Vocational Nurse Examiners of the State of California to assist the latter in carrying out its functions.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Board of Vocational Nurse Examiners was established to assist in relieving the critical shortage of nurses existing in the State. Because of insufficient funds it has been and is at present unable properly to discharge this responsibility. In order that it may do so and thus fulfill the purpose for which it was established, it is essential to the public health and safety that this act go into immediate effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1183**

Senator Miller moved that Senate Bill No. 1183 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1183**—An act to amend Sections 2841 and 2842 of, and to add Chapter 6.6 to Division 2 of the Business and Professions Code, relating to psychiatric technicians.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to amend Sections 2841 and 2842 of, and".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 25, inclusive.

**Amendment No. 3**

On page 2 of said bill, strike out lines 1 to 7, inclusive.

**Amendment No. 4**

On page 2, line 8, of said bill, strike out "Sec. 3", and insert "SECTION 1."

**Amendment No. 5**

On page 2 of said bill, strike out lines 17 to 25, inclusive, and insert

"2901. There is in the Department of Professional and Vocational Standards a Board for Licensing Psychiatric Technicians.

The board shall administer the provisions of this chapter and shall issue a license designated as a psychiatric technician's license.

2902. Two members of the board shall be physicians and surgeons licensed under Chapter 5 of Division 2 of this code, and three members of the board shall be psychiatric technicians licensed under this chapter. The first three psychiatric technicians appointed to the board shall be persons who meet the qualifications for a psychiatric technician's license under this chapter.

Members of the board shall be appointed by the Governor for a term of four years. Vacancies occurring shall be filled by appointment for the unexpired term.

2903. The board may employ inspectors, special agents, investigators and such clerical assistants as it may deem necessary to carry into effect the provisions of this chapter. The board may fix the compensation to be paid for such services and may incur such other expenses as it may deem necessary.

The board may from time to time adopt such rules and regulations as may be necessary to enable it to carry into effect the provisions of this chapter.

2904. No member of the board shall receive any compensation, but each member shall be entitled to his actual travel and other necessary expenses incurred in the performance of his duties."

**Amendment No. 6**

On page 2 of said bill, between lines 27 and 28, insert

"2905. A person practices as a psychiatric technician within the meaning of this chapter who, under the supervision of a licensed physician, performs services in caring for the mentally ill, mentally deficient, or mentally disordered, for compensation or personal profit, which services require the following:

(a) Responsible supervision of the mentally ill, mentally deficient or mentally disordered patients requiring technical skills in the observation of symptoms and reactions of such patients, and the accurate recording of the same, and the carrying out of treatments and medications as prescribed by a licensed physician.

(b) Application of such techniques and procedures as involve understanding of cause and effect and the safeguarding of life and health of the patient and others.

(c) Performance of such other duties as are necessary in the physical care of the patient.

(d) Application of principles of treatment based upon biological, physical and social sciences.

2906. The provisions of this chapter shall not apply to physicians and surgeons licensed under Chapter 5 of Division 2 of this code, nor to registered nurses licensed under Chapter 6 of Division 2 of this code, when they are engaged in the performance of services authorized by their licenses.

**Article 3. Licensing".****Amendment No. 7**

On page 2, line 29, of said bill, strike out "2905", and insert "2910".

**Amendment No. 8**

On page 2 of said bill, strike out line 35, and insert "of study through the twelfth grade."

**Amendment No. 9**

On page 2 of said bill, strike out lines 36 to 38, inclusive.

**Amendment No. 10**

On page 2, lines 45 and 46, of said bill, strike out "as a psychiatric technician", and insert "in a state institution or hospital or any other hospital in psychiatric technician work as defined in Section 2910 of this code".

**Amendment No. 11**

On page 2, line 49, of said bill, before "Any", insert "prior to July 1, 1955,".

**Amendment No. 12**

On page 3, line 1, of said bill, after "necessary", insert "equivalent".

**Amendment No. 13**

On page 3, lines 2 and 3, of said bill, strike out “, and successfully passes such examinations or tests as may from time to time be required by the board”.

**Amendment No. 14**

On page 3 of said bill, strike out lines 4 to 9, inclusive.

**Amendment No. 15**

On page 3 of said bill, between lines 9 and 10, insert

“2916. Prior to July 1st of each year, each licensed psychiatric technician shall apply for a renewal of his license and shall pay the renewal fee required by this chapter, whereupon the board shall renew his license.

Every license not renewed shall expire on the thirtieth day of August of each year, but may thereafter be renewed upon the payment of the renewal fee and such proof of the applicant's qualification to be licensed as may be required by the board.

2617. Every licensee under this chapter may be known as a licensed psychiatric technician and may place the letters “L. P. T.” after his name.

It is unlawful for any person or persons not licensed as provided in this chapter to impersonate or in any manner to pretend to be a licensed psychiatric technician, or to use the title “Psychiatric Technician,” the letters “L. P. T.” or any other name, word or symbol in connection with or following his name so as to lead another or others to believe that he is a licensed psychiatric technician.”

**Amendment No. 16**

On page 3, line 11, of said bill, strike out “3”, and insert “4”.

**Amendment No. 17**

On page 4, line 19, of said bill, strike out “4”, and insert “5”.

**Amendment No. 18**

On page 4, of said bill, between lines 25 and 26, insert

“2931. The course of instruction of an accredited school for psychiatric technicians shall consist of not less than the required number of hours of instruction in such subjects as the board may from time to time determine, and shall include the subjects of principles of mental hygiene, principles of psychology, psychiatry in relation to nursing care, attitude therapy, principles of rehabilitation therapy for the mentally ill, special therapeutic procedures for the mentally ill, nutrition in health and disease, basic anatomy and physiology, principles of psychiatric nursing including geriatrics, history of care of the mentally ill, and such other clinical experience as from time to time may be determined by the board.”

**Amendment No. 19**

On page 4, line 27, of said bill, strike out “5”, and insert “6”.

**Amendment No. 20**

On page 4, line 32, of said bill, strike out “by”.

**Amendment No. 21**

On page 4 of said bill, strike out lines 33 and 34, and insert “shall be fixed by the board, with the approval of the director, at not more than ten dollars (\$10) or less than five dollars (\$5).”

**Amendment No. 22**

On page 4 of said bill, strike out lines 35 and 36, and insert

“(b) The fee for any examination after the first is five dollars (\$5).”

**Amendment No. 23**

On page 4, lines 37 and 38, of said bill, strike out “The annual fee to be paid upon the filing of an application for renewal is one dollar (\$1)”, and insert “The renewal fee shall be fixed by the board with the approval of the director at no more than five dollars (\$5) nor less than one dollar (\$1)”,

**Amendment No. 24**

In the heading of said bill, after “and Way”, insert “; Senators Hoffman, Coombs, and Thompson, as joint authors”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 103**

Senator Harold T. Johnson moved that Senate Bill No. 103 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 103**—An act to amend Sections 211, 213, 215, 726, 727, 816.5, 1061, 1062, 1063, 1065, 1066, 1067, 1068, 1073, 3501, 3511, 3512, 3513, 3514, 3515, 3517, 3541, 3571, 3572, and 3575 of the Public Utilities Code, to amend the heading of Chapter 1 of Division 2 and the heading of Article 1 of Chapter 1 of Division 2 thereof, to add Sections 796 and 1064.5 thereto, and to repeal Sections 214, 1072, 3516, 3518 and 3546, and Article 4 of Chapter 1 of Division 2, comprising Sections 3601 to 3606, inclusive, thereof, relating to highway carriers.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 6, 1953, strike out "1067,".

**Amendment No. 2**

In line 6 of the title of said bill, as amended, strike out "796 and 1064.5 thereto", and insert "1064.5 and 3516, and to add Chapter 9 to Division 2 thereof".

**Amendment No. 3**

On page 2 of said bill, as amended, between lines 22 and 23, insert "(c) "Highway common carrier" does not include any corporation or person owning, controlling, operating or managing any auto truck or other self-propelled vehicle not operated upon rails, used in the business of transportation of property for compensation over any public highway in this State as a highway contract carrier."

**Amendment No. 4**

On page 2, line 23, of said bill, as amended, strike out "(c)", and insert "(d)".

**Amendment No. 5**

On page 3, line 12, of said bill, as amended, before "is", insert "or in the Agricultural Carriers' Act,".

**Amendment No. 6**

On page 3, line 14, of said bill, as amended, after "part", strike out "of", and insert "or".

**Amendment No. 7**

On page 3, line 16, of said bill, as amended, after "Act", insert "or the Agricultural Carriers' Act".

**Amendment No. 8**

On page 3, line 27, of said bill, as amended, strike out "the", and insert "this".

**Amendment No. 9**

On page 3, line 35, of said bill, as amended, after "Act", insert ", and an agricultural carrier as defined in the Agricultural Carriers' Act".

**Amendment No. 10**

On page 3 of said bill, as amended, strike out lines 36 to 47, inclusive.

**Amendment No. 11**

On page 5, line 6, of said bill, as amended, after "forth", insert "any or all of".

**Amendment No. 12**

On page 5, line 7, of said bill, as amended, after "conducted", insert "any or all of".

**Amendment No. 13**

On page 5, line 9, of said bill, as amended, after "conducted", insert "at any time prior to the date of the application".

**Amendment No. 14**

On page 5, line 27, of said bill, as amended, after "Highway", insert "Contract".

**Amendment No. 15**

On page 7 of said bill, as amended, between lines 39 and 40, insert  
"(h) Any agricultural carrier."

**Amendment No. 16**

On page 8 of said bill, as amended, between lines 8 and 9, insert

"SEC. 26.5. Section 3516 is added to said code, to read:  
3516. "Agricultural carrier" means every highway carrier operating as an agricultural carrier subject to regulation as such by the commission under Chapter 9 of Division 2."

**Amendment No. 17**

On page 8, line 13, of said bill, as amended, after the period, insert "Any highway carrier is a contract carrier who proposes, (a) to transport property under a bona fide written bilateral contract with a shipper, or with more than one shipper, or (b) who delegates one or more than one piece of automotive equipment to one shipper at one time for the shipper's whole and exclusive use from the time the equipment is placed for loading at point of origin until the equipment cargo has been discharged."

**Amendment No. 18**

On page 8, line 26, of said bill, as amended, before "Highway", insert "Article 3."

**Amendment No. 19**

On page 8, line 50, of said bill, as amended, strike out "this act", and insert "clause (a) of Section 3517".

**Amendment No. 20**

On page 9, line 12, of said bill, as amended, after the period, insert "No such contract or evidence thereof shall be open to public inspection or made public except by the commission or a commissioner in the course of a hearing or proceeding."

Subsequent to December 31, 1953, any highway contract carrier who shall conduct operations under the provisions of clause (b) of Section 3517 shall file and keep open for inspection to the commission shipping documents which shall set forth among other things the equipment used and to whom delegated, the weight and the commodity or commodities transported, the charges made which may not be less than those prescribed by the commission as minimum rates and rules and regulations, and such other information as the commission may require."

**Amendment No. 21**

On page 9 of said bill, as amended, after line 15, insert

"SEC. 36. Chapter 9 is added to Division 2 of said code, to read:

**CHAPTER 9. AGRICULTURAL CARRIERS****Article 1. General Provisions and Definitions**

5351. This chapter may be cited as the "Agricultural Carriers' Act."

5352. The use of the public highways for the transportation of property for compensation is a business affected with a public interest. It is the purpose of this chapter to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways; to secure to the people just and reasonable rates for transportation by carriers operating upon such highways; and to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public.

5353. Unless the context otherwise requires, the definitions and general provisions set forth in this article govern the construction of this chapter.

5354. In construing and enforcing the provisions of this chapter relating to penalties, the act, omission, or failure of any officer, agent, or employee of any person or corporation, acting within the scope of his official duties or employment, is the act, omission, or failure of the employing person or corporation.

5355. "Corporation" includes a corporation, a company, an association, and a joint stock association.

5356. "Person" includes an individual, a firm, or a copartnership.

5357. "Public highway" includes every public street, road or highway in this State.

5358. "Motor vehicle" means every motor truck, tractor, or other self-propelled vehicle used for transportation of property over the public highways, otherwise than upon fixed rails or tracks, and any trailer, semitrailer, dolly, or other vehicle drawn thereby.

5359. "Agricultural carrier" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in the transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles being used in the transportation of livestock or agricultural commodities (but not including manufactured products thereof) and containers used in the shipping of agricultural commodities or the return of empty containers over any public highway in this State. Nothing contained herein shall prohibit any highway common carrier from transporting livestock or agricultural commodities under the authority of any certificate of public convenience and necessity which it may hold authorizing such transportation.

5360. The provisions of this chapter do not apply to transportation service all of which is rendered in territory within the exterior boundaries of a city, or city and county including the area of any city situated wholly within such outside limits.

5361. This chapter shall not be construed as a regulation of commerce with foreign nations or among the several states, except insofar as such regulation is permitted under the provisions of the Constitution and the acts of the Congress of the United States.

5362. The regulation of the transportation of livestock or agricultural commodities (but not including manufactured products thereof) and containers used in the shipping of agricultural commodities or the return of empty containers in a motor vehicle or motor vehicles over any public highway in this State shall be exclusively as provided in this chapter except as provided for in Section 5359. Any provision of the Public Utilities Act or the Highway Carriers Act in conflict with the provisions of this chapter is superseded and repealed.

5363. The transportation of livestock or agricultural commodities (but not including manufactured products thereof) and containers used in the shipping of agricultural commodities or the return of empty containers in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. This chapter is enacted for the limited purpose of providing necessary regulation for this specialized type of truck transportation only, and is not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted.

#### Article 2. Regulation of Agricultural Carriers

5371. No agricultural carrier shall engage in such business for compensation by motor vehicle over any public highway in this State, except in accordance with the provisions of this chapter which is enacted under the power of the State to regulate the use of public highways and public utilities.

5372. Each agricultural carrier shall display on each vehicle operated by it an identification symbol in such form and in accordance with such rules and regulations as the commission may prescribe.

5373. Except as provided in Section 5373.5, no agricultural carrier shall engage in the business of the transportation of livestock or agricultural commodities (but not including manufactured products thereof) and containers used in the shipping of agricultural commodities or the return of empty containers for compensation, by motor vehicle over any public highway in this State, unless there is in force a permit issued by the commission authorizing such operations.

5373.5. Any person or corporation who was engaged in the business of transporting livestock or agricultural commodities (but not including manufactured products thereof) and containers used in the shipping of agricultural commodities or the return of empty containers over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1954, an application for a permit as provided in Section 5374. The commission shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings. Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful.

5374. Application for permits shall be in writing, verified under oath, and shall be in such form, contain such information, and be accompanied by proof of service upon such interested parties as the commission requires.

5375. Except as provided in Section 5373.5, before a permit is hereafter issued the commission shall require the applicant to establish ability and reasonable financial responsibility to initiate the proposed operations. The commission may, with or without hearing, issue or refuse to issue the permit. If the commission finds that the applicant possesses the ability and financial responsibility to initiate the proposed operations, it shall issue a permit as prayed for.

5376. Each application for issuance of a permit under this chapter shall be accompanied by a fee of fifty dollars (\$50).



The filing fee for an application for transfer of a permit is twenty-five dollars (\$25). All fees paid to the commission under this chapter shall be deposited in the Transportation Rate Fund.

### Article 3. Accident Liability Protection

5381. The commission shall, in granting permits pursuant to this chapter, require the agricultural carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than fifteen thousand dollars (\$15,000) on account of bodily injuries to, or death of, one person; and protection against a total liability of the agricultural carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than thirty thousand dollars (\$30,000); and protection in an amount of not less than ten thousand dollars (\$10,000) for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any agricultural carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

5382. The protection required under this article shall be evidenced by the deposit with the commission covering each vehicle used or to be used under the permit applied for.

(1) Of a policy or policies of insurance, issued by a company licensed to write such insurance in this State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State.

5383. With the consent of the commission a copy of an insurance policy, certified by the company issuing it to be a true copy of the original policy, or a photostatic copy thereof, or an abstract of the provisions of the policy, or a certificate of insurance issued by the company issuing the policy, may be filed with the commission in lieu of the original or a duplicate or counterpart of the policy.

5384. The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance or surety bond shall not be cancelable on less than thirty (30) days written notice to the commission.

5385. The commission may establish such rules as are necessary to enforce this article.

### Article 4. Rates

5391. The commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any agricultural carrier for the transportation of property subject to this chapter and for accessorial service performed in connection therewith.

In establishing or approving such rates the commission shall give due consideration to the cost of all of the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service, the value of the commodity transported, and the value of the facility reasonably necessary to perform the transportation service.

5392. In the event the commission establishes minimum rates for transportation services by agricultural carriers, the rates shall not exceed the current rates of common carriers by land subject to the Public Utilities Act for the transportation of the same kind of property between the same points.

5393. It is unlawful for any agricultural carrier to charge or collect any lesser rate than the minimum rate or greater rate than the maximum rate established by the commission under this chapter.

5394. The commission shall make such rules as are necessary to the application and enforcement of the rates established or approved pursuant to this chapter.

5395. If any agricultural carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate.

5396. No agricultural carrier shall charge, demand, collect, or receive for the transportation of property subject to this chapter, or for any service in connection therewith, rates or charges less than the minimum rates and charges or greater than the maximum rates and charges applicable to such transportation established or approved by the commission; nor shall any such carrier directly or indirectly pay any commission or refund, or remit in any manner or by any device any portion of the rates or charges so specified, except upon authority of the commission.

5397. No agricultural carrier, or any officer, or agent thereof, or any person acting or employed by it, shall, by means of known false billing, classification, weight, weighing or report of weight, or by any other device, assist, suffer, or permit any corporation or person to obtain transportation for any property between points within this State at rates less than the minimum rates or more than the maximum rates then established or approved by the commission.



5398. No person, corporation, or any officer, agent, or employee of a corporation shall, by means of false billing, false or incorrect classification, false weight or weighing, false representation as to the content or substance of a package, or false report or statement of weight, or by any other device or means, whether with or without the consent or connivance of an agricultural carrier, or any of its officers, agents, or employees, seek to obtain or obtain transportation for property at less than the minimum rates or charges or more than the maximum rates or charges established or approved by the commission.

5399. No person or corporation, or any officer, agent, or employee of a corporation, shall knowingly, directly or indirectly by any false statement or representation as to cost or value or the nature or extent of damage, or by the use of any false billing, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit or deposition, or upon any false, fictitious, or fraudulent statement or entry, obtain or attempt to obtain any allowance, rebate, or payment for damage in connection with or growing out of the transportation of property subject to this chapter, or an agreement to transport property subject to this chapter, whether with or without the consent or connivance of an agricultural carrier, or any of its officer, agents, or employees. No agricultural carrier or any of its officers, agents, or employees shall knowingly pay, or offer to pay any such allowance, rebate, or claim for damage.

#### Article 5. Reports, Records, and Inspections

5406. The commission may require annual, periodical, or special reports to be filed by all agricultural carriers, prescribe the manner and form in which reports shall be made, and may require specific answers to all questions upon which the commission deems information to be necessary. The reports shall be under oath whenever the commission so requires.

5401. The commission may require any agricultural carrier to file with it a true copy of any contract, agreement, or arrangement between the carrier and any other carrier in relation to any traffic affected by this chapter.

5408. The commission may prescribe the forms of any accounts, records, and memoranda, including those pertaining to this movement of traffic and the receipt or expenditure of money, to be kept by agricultural carriers, and the length of time the accounts, records, and memoranda shall be preserved.

5409. Where the commission has prescribed the forms of accounts, records, and memoranda to be kept by agricultural carriers for any of its business, it is unlawful for any agricultural carrier to keep any accounts, records, or memoranda for such business other than those so prescribed or those prescribed by or under the authority of any other state or of the United States, excepting such accounts, records, or memoranda as are explanatory of and supplemental to the accounts, records, or memoranda prescribed by the commission.

5410. The commission or its authorized employees, representatives, or inspectors shall at all times have access to all lands, buildings, or equipment of agricultural carriers used in connection with the operation of their business as such carriers in this State, and also all accounts, records, and memoranda, including all documents, books, papers, and correspondence kept or required to be kept by agricultural carriers.

5411. The employees, representatives, and inspectors of the commission may, under its order or direction, inspect and examine any lands, buildings, equipment, accounts, books, records, and memoranda, including all documents, papers, and correspondence kept or required to be kept by agricultural carriers.

5412. Sections 5406 to 5411, inclusive, shall, to the extent deemed necessary by the commission, apply to persons having control, direct or indirect, over or affiliated with any agricultural carrier.

5413. Any employee of the commission who divulges any fact or information which comes to his knowledge during the course of the examination of the accounts, records, and memoranda of agricultural carriers, except as he is authorized or directed by the commission or by a court of competent jurisdiction or judge thereof, is guilty of a misdemeanor and is punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than three (3) months, or both.

#### Article 6. Proceedings

5421. Except as otherwise expressly provided, in all respects in which the commission has power and authority under the Constitution of this State or this chapter, applications and complaints may be made and filed with the commission, process issued, hearings held, opinions, orders, and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review or mandate filed with the Supreme Court of this State, considered and disposed of by the Supreme Court, in regard to the matters provided for in this chapter, in the same manner, under the same conditions and subject to the same limitations, and with the same effect specified in the Public Utilities Act, so far as applicable.

5422. Service of all process and orders instituting investigation in all proceedings, complaints, investigations, or hearings brought or pending before the commission pursuant to this chapter, may be made upon any person upon whom a summons may be served, in accordance with the Code of Civil Procedure.

5423. Service of all process and orders, decisions and order, orders and notices in all such proceedings, investigations, complaints and hearings may be made personally

or by the deposit in the United States mail of a sealed envelope with postage prepaid, containing a true copy of the paper to be served and addressed to the person to be served at his last known address as shown by the records of the commission.

5424. Service by personal delivery is complete upon delivery to the person to be served of a true copy of the paper to be served. Service by mail is complete upon the expiration of four days after the deposit in the United States mail of a true copy of the paper to be served.

Proof of service may be made by the certificate of any officer or employee of the commission or the affidavit of any person over the age of 18 years, naming the person served and specifying the time, place, and manner of service.

5425. In all proceedings instituted by or pending before the commission pursuant to this chapter, the commission may from time to time make such interim, interlocutory, or other orders as it deems advisable. No such order shall operate as a final determination of the proceeding, and the commission may at any time thereafter make such further orders as it deems advisable with respect to the matters considered and determined in the order or to other matters involved in the proceeding.

5426. After the making of an interim, interlocutory, or other order, any party to the proceeding or any stockholder or bondholder or other party peculiarly interested in the agricultural carrier affected may file a petition for rehearing, within the time and for the reasons provided in Sections 1731 to 1736, inclusive, and the commission may act upon the petition within the time and in the manner provided therein.

5427. Any interim, interlocutory, or other order may be reviewed as provided in Sections 1756 to 1759, inclusive. Upon such review, only that portion of the record in the proceeding considered by the commission and upon which it acted in making the order sought to be reviewed, need be certified to and considered by the Supreme Court.

5428. No person shall be excused from attending and testifying or from producing any book, document, paper, or account in any investigation or inquiry by or hearing before the commission or any commissioner or examiner, or in obedience to the subpoena of the commission, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of any of the provisions of this chapter, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper or account required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which, under oath, he has testified or produced documentary evidence before the commission, or in obedience to its subpoena, or in any such cause or proceeding. No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

#### Article 7. Suspension and Revocation of Permits

5431. The commission may, at the request of any agricultural carrier, suspend the operating permit of the carrier for a definite time during which it is unlawful for the carrier to conduct any operations as an agricultural carrier.

5432. A permit shall remain in effect until suspended or terminated as provided in this chapter. No permit shall be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof without first having secured from the commission an order authorizing the same. Any such sale, lease, assignment, transfer or encumbrance made otherwise than in accordance with the order of the commission authorizing the same shall be void.

5433. The commission may cancel, revoke, or suspend the operating permit or permits of any agricultural carrier upon any of the following grounds:

(1) Any illegally conducted agricultural carrier operations.

(2) The violations of any of the provisions of this chapter or of any operating permit issued thereunder.

(3) The violation of any order, decision, rule, regulation, direction, demand, or requirement, established by the commission pursuant to this chapter.

(4) The conviction of the agricultural carrier of any misdemeanor under this chapter.

(5) The rendition of a judgment against the agricultural carrier for any penalty imposed under this chapter.

(6) The failure of an agricultural carrier to pay any fee imposed upon the carrier within the time required by law.

5434. After the cancellation or revocation of a permit or during the period of its suspension, it is unlawful for an agricultural carrier to conduct any operations as such a carrier. The commission may either grant or deny an application for a new permit whenever it appears that a prior permit of the applicant has been canceled or revoked pursuant to Section 5433, or whenever it appears, after hearing, that as a prior permit holder, the applicant engaged in any of the unlawful activities set forth in Section 5433 for which his permit might have been canceled or revoked.

#### Article 8. Fines and Penalties

5441. Every agricultural carrier and every officer, director, agent, or employee of any agricultural carrier who violates or who fails to comply with, or who procures, aids, or abets any violation by any agricultural carrier of any provision of this chapter or who fails to obey, observe, or comply with any order, decision, rule, regulation,

direction, demand, or requirement of the commission, or of any operating permit issued to any agricultural carrier, or who procures, aids, or abets any agricultural carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit, is guilty of a misdemeanor, and is punishable by fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than three months, or both.

5442. Every corporation or person other than an agricultural carrier, who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than an agricultural carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or who procures, aids, or abets any agricultural carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is guilty of a misdemeanor, and is punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment in the county jail for not more than three months, or both.

5443. Every agricultural carrier and every officer, director, agent, or employee of any agricultural carrier who violates or who fails to comply with, or who procures, aids, or abets, any violation by any agricultural carrier of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or of any operating permit issued to any agricultural carrier, or who procures, aids, or abets any agricultural carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit, is subject to a penalty of not more than five hundred dollars (\$500) for each offense.

5444. Every corporation or person other than an agricultural carrier who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than an agricultural carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or who procures, aids, or abets any agricultural carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is subject to a penalty of not more than five hundred dollars (\$500) for each offense.

5445. Every violation of the provisions of this chapter or of any order, decision, decree, rule, direction, demand, or requirement of the commission by any corporation or person is a separate and distinct offense, and in case of a continuing violation each day's continuance thereof is a separate and distinct offense.

5446. All penalties accruing under this chapter are cumulative, and a suit for the recovery of one penalty does not bar or effect the recovery of any other penalty or forfeiture or bar any criminal prosecution against any person or corporation, or any officer, director, agent or employee thereof, or any other corporation or person, or bar the exercise by the commission of its power to punish for contempt.

5447. Actions to recover penalties under this chapter shall be brought in the name of the people of the State of California, in the superior court of the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of, if any, has its principal place of business, or in which the person, if any, complained of, resides. The action shall be commenced and prosecuted to final judgment by the attorney of the commission.

5448. In any such action, all penalties incurred up to the time of the commencement of the action may be sued for and recovered. In all such actions, the procedure and rules of evidence shall be the same as in ordinary civil actions.

5449. All penalties recovered by the State in any action pursuant to this chapter, together with the costs thereof, shall be paid into the State Treasury to the credit of the General Fund. Any such action may be compromised or discontinued on application of the commission upon such terms as the court approves and orders."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Utilities.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1010

Senator Tenney moved that Senate Bill No. 1010 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1010**—An act to amend Sections 11712, 11713, and 11714 of the Health and Safety Code, and Section 1203 of the Penal Code, relating to narcotics.

Bill read second time.

**Motion to Amend**

Senator Tenney moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 3, 1953, strike out "and 11714", and after "11714", insert "11714, 11715, 11715.6, and 11715.7".

**Amendment No. 2**

In line 2 of the title of said bill, as amended, strike out "and Section 1203 of the Penal Code,".

**Amendment No. 3**

On page 1, line 5, of said bill, as amended, strike out "is guilty of a felony punishable", and insert "shall be punished".

**Amendment No. 4**

On page 1, line 6, of said bill, as amended, strike out the comma.

**Amendment No. 5**

On page 1 of said bill, as amended, strike out lines 7 and 8, and insert "more than five years."

**Amendment No. 6**

On page 1, line 9, of said bill, as amended, after "felony", insert ", or any other act described in this section,".

**Amendment No. 7**

On page 1, line 11, of said bill, as amended, strike out "a", and insert "the".

**Amendment No. 8**

On page 1, line 15, of said bill, as amended, strike out the comma.

**Amendment No. 9**

On page 1 of said bill, as amended, strike out lines 16 and 17, and insert "nor more than 10 years."

Upon conviction of a third or subsequent offense described in this section the person shall be imprisoned in a state prison for not less than 10 years nor more than 20 years."

**Amendment No. 10**

On page 1, line 22, of said bill, as amended, strike out "is guilty of a felony punishable", and insert "shall be punished".

**Amendment No. 11**

On page 1, line 23, of said bill, as amended, strike out "5 years," and insert "five years".

**Amendment No. 12**

On page 2 of said bill, as amended, strike out lines 1 and 2, and insert "10 years."

**Amendment No. 13**

On page 2, line 4, of said bill, as amended, strike out "other than one involving narcotics", and insert "or of any other act described in this section".

**Amendment No. 14**

On page 2, line 6, of said bill, as amended, strike out "a", and insert "the".

**Amendment No. 15**

On page 2 of said bill, as amended, strike out lines 10 to 23, inclusive, and insert "not less than five years nor more than ten years."

Upon conviction of a third or subsequent offense described in this section the person shall be imprisoned in a state prison for not less than 10 years nor more than 20 years."

**Amendment No. 16**

On page 2 of said bill, as amended, strike out lines 31 to 37, inclusive and insert "less than five years, and for each subsequent offense shall be imprisoned in the state prison for not less than 10 years."



PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 17

On page 2 of said bill, as amended, between lines 37 and 38, insert

"SEC. 4. Section 11715 of said code is amended to read:

11715. Every person who forges or alters a prescription or who issues or utters an altered prescription, or who issues or utters a prescription bearing a forged or fictitious signature for any narcotic, or who obtains any narcotic by any forged, fictitious, or altered prescription, or who has in his possession any narcotic secured by such forged, fictitious, or altered prescription, shall for the first offense be punished by imprisonment in the [county jail for not less than six months nor more than one year, or in the] state prison for not less than two years nor more than [six] five years, and [for each subsequent offense shall be imprisoned in the state prison for not more than ten years] upon conviction of a second offense shall be imprisoned in the state prison for not less than five years nor more than ten years. For a third or subsequent offense the person shall be imprisoned in the state prison for not less than 10 years nor more than 20 years.

SEC. 5. Section 11715.6 of said code is amended to read:

11715.6. In no case shall any person convicted of violating Sections [11712.] 11713, 11714, [11715,] or of committing any offense referred to in those sections be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court.

*In no case shall any person convicted of a second, third, or subsequent offense referred to in Sections 11712 or 11715 be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court.*

SEC. 6. Section 11715.7 of said code is amended to read:

11715.7. Any person who shall violate any of the provisions of Sections 11162, 11162.5, 11163, 11163.5, 11164, 11170 and 11170.5, shall be punished by imprisonment in [a county jail for not less than six months or in the state prison for not more than six years] the state prison for not less than two years nor more than five years.

*If such person has been previously convicted of a felony, or of any other act described in this section, under the laws of the United States or of this or any other state, and if the previous conviction of the felony is charged in the indictment or information and is found to be true by the jury, upon a jury trial, or is found to be true by the court, upon a court trial, or is admitted by the defendant, he shall be imprisoned in the state prison for not less than five years nor more than 10 years.*

*Upon a conviction of a third or subsequent offense of violating any of the provisions of the sections enumerated in this section the person shall be imprisoned in a state prison for not less than 10 years nor more than 20 years.*

*In no case shall any person convicted of a second, third, or subsequent offense of violating any of the provisions of the sections enumerated in this section be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court."*

#### Amendment No. 18

On page 2 of said bill, as amended, strike out lines 38 to 52, inclusive; and strike out pages 3 and 4.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 928

Senator Gibson moved that Senate Bill No. 928 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 928**—An act to add Section 604.6 to the Vehicle Code, relating to highway use by certain commercial vehicles.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, line 16, after "in", insert "the transportation of employees, equipment, and material and for constructing,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1657**

Senator Hatfield moved that Senate Bill No. 1657 be withdrawn from Committee on Water Resources for purpose of amendment. Re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1657**—An act to create a Department of Water Resources by amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11411, 11416, 12510, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20016, 20023, 20082, 20083, 20084, 20085, 20086, 20625, 20820, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the title of Article 1 of Chapter 2, Division 1, the title of Article 5 of Chapter 3, Part 4, Division 5, the title of Article 6, Chapter 1, Part 3, Division 6, the title of Article 2, Chapter 3, Part 8, Division 12, the title of Chapter 4 of Part 1, Division 14, the title of Article 4 of Chapter 1, Part 5, Division 14, and the title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 126, 127, 128, 130, 131, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 1360, and Articles 2, 3 and 4 to Chapter 2, Division 1, the title to Chapter 3, Division 1, the title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 6001, 6050, 6051, 8305, 8698, 8699, 11412, 11413, 11554, 20544, 20545, and 39029, and Chapter 2, Part 6, Division 11, of, the Water Code, amending Sections 4001, 11041, 12040, 13370, 14005, 14033, 14255, 14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14035, 14036, and 14037, and Article 2, Chapter 2, Part 5, Division 3, Title 2, of, the Government Code, and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514), relating to state administration of water resources.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, strike out "to create a Department of Water Resources by".

**Amendment No. 2**

On page 1, line 6, of the title of said bill, strike out "20016,".

**Amendment No. 3**

On page 1, line 7, of the title of said bill, after "20820," insert "23196,".

**Amendment No. 4**

On page 1, lines 17 and 18, of the title of said bill, strike out "137, 138, 139, 140, 141, 142,".

**Amendment No. 5**

On page 1, line 18, of the title of said bill, strike out "144, 145, 146, 1360", and insert "145, 146, 1360, 12543, 20034".

**Amendment No. 6**

On page 1, line 24, of the title of said bill, strike out " and Chapter 2, Part 6, Division 11,".

**Amendment No. 7**

On page 1, line 25, of the title of said bill, after "12040," insert "12543,".

**Amendment No. 8**

On page 2, line 32, of the title of said bill, after "(Chapter 1514)," insert "creating a Department of Water Resources and providing for the regulation of water resources, all".

**Amendment No. 9**

On page 3, line 8, of said bill, after "director," insert "Notwithstanding the provisions of Section 11157 of the Government Code the legal division shall be the legal adviser and attorney for the department and represent it in all actions and proceedings."

**Amendment No. 10**

On page 4 of said bill, strike out lines 8 to 51, inclusive, and on page 5, strike out lines 1 to 28, inclusive.

**Amendment No. 11**

On page 5, line 29, of said bill, strike out "SEC. 23.", and insert "SEC. 17."

**Amendment No. 12**

On page 5 of said bill, strike out lines 35 to 42, inclusive.

**Amendment No. 13**

On page 5, line 43, of said bill, strike out "SEC. 25.", and insert "SEC. 18."

**Amendment No. 14**

On page 5, line 48, of said bill, strike out "SEC. 26.", and insert "SEC. 19."

**Amendment No. 15**

On page 6, line 26, of said bill, strike out "SEC. 27.", and insert "SEC. 20."

**Amendment No. 16**

On page 6, line 46, of said bill, after "Board.", insert "The Colorado River Board, at its discretion, may utilize the services of the Attorney General or such other attorneys as it may, from time to time, select."

**Amendment No. 17**

On page 7, line 17, of said bill, strike out "SEC. 27.1.", and insert "SEC. 21."

**Amendment No. 18**

On page 7, line 22, of said bill, strike out "SEC. 27.2.", and insert "SEC. 22."

**Amendment No. 19**

On page 7, line 27, of said bill, strike out "SEC. 28.", and insert "SEC. 23."

**Amendment No. 20**

On page 7, line 32, of said bill, strike out "SEC. 29.", and insert "SEC. 24."

**Amendment No. 21**

On page 8, line 9, of said bill, strike out "SEC. 30.", and insert "SEC. 25."

**Amendment No. 22**

On page 8, line 46, of said bill, strike out "SEC. 31.", and insert "SEC. 26."

**Amendment No. 23**

On page 8, line 47, of said bill, strike out "SEC. 32.", and insert "SEC. 27."

**Amendment No. 24**

On page 8, line 49, of said bill, strike out "SEC. 33.", and insert "SEC. 28."

**Amendment No. 25**

On page 9, line 6, of said bill, strike out "SEC. 34.", and insert "SEC. 29."

**Amendment No. 26**

On page 9, line 14, of said bill, strike out "SEC. 35.", and insert "SEC. 30."

**Amendment No. 27**

On page 9, line 19, of said bill, strike out "SEC. 36.", and insert "SEC. 31."

**Amendment No. 28**

On page 9, line 26, of said bill, strike out "SEC. 37.", and insert "SEC. 32."

**Amendment No. 29**

On page 9, line 31, of said bill, strike out "SEC. 38.", and insert "SEC. 33."

**Amendment No. 30**

On page 9, line 38, of said bill, strike out "SEC. 39.", and insert "SEC. 34."

**Amendment No. 31**

On page 9, line 40, of said bill, strike out "SEC. 40.", and insert "SEC. 35."

**Amendment No. 32**

On page 9, line 47, of said bill, strike out "SEC. 41.", and insert "SEC. 36."

**Amendment No. 33**

On page 10, line 8, of said bill, strike out "SEC. 42.", and insert "SEC. 37."

**Amendment No. 34**

On page 10, line 14, of said bill, strike out "SEC. 43.", and insert "SEC. 38."

**Amendment No. 35**

On page 10, line 15, of said bill, strike out "SEC. 44.", and insert "SEC. 39."

**Amendment No. 36**

On page 10, line 21, of said bill, strike out "SEC. 45.", and insert "SEC. 40."

**Amendment No. 37**

On page 11, line 12, of said bill, strike out "SEC. 46.", and insert "SEC. 41."

**Amendment No. 38**

On page 11, line 25, of said bill, strike out "SEC. 47.", and insert "SEC. 42."

**Amendment No. 39**

On page 11, line 30, of said bill, strike out "SEC. 48.", and insert "SEC. 43."

**Amendment No. 40**

On page 12, line 7, of said bill, strike out "SEC. 49.", and insert "SEC. 44."

**Amendment No. 41**

On page 12, line 10, of said bill, strike out "SEC. 50.", and insert "SEC. 45."

**Amendment No. 42**

On page 12, line 16, of said bill, strike out "SEC. 51.", and insert "SEC. 46."

**Amendment No. 43**

On page 12, line 20, of said bill, strike out "SEC. 52.", and insert "SEC. 47."

**Amendment No. 44**

On page 12, line 25, of said bill, strike out "SEC. 53.", and insert "SEC. 48."



**Amendment No. 45**

On page 12, line 28, of said bill, strike out "SEC. 54.", and insert "SEC. 49."

**Amendment No. 46**

On page 12, line 33, of said bill, strike out "SEC. 55.", and insert "SEC. 50."

**Amendment No. 47**

On page 12, line 37, of said bill, strike out "SEC. 56.", and insert "SEC. 51."

**Amendment No. 48**

On page 12, line 42, of said bill, strike out "SEC. 57.", and insert "SEC. 52."

**Amendment No. 49**

On page 12, line 45, of said bill, strike out "SEC. 58.", and insert "SEC. 53."

**Amendment No. 50**

On page 12, line 49, of said bill, strike out "SEC. 59.", and insert "SEC. 54."

**Amendment No. 51**

On page 13, line 1, of said bill, strike out "SEC. 60.", and insert "SEC. 55."

**Amendment No. 52**

On page 13, line 7, of said bill, strike out "SEC. 61.", and insert "SEC. 56."

**Amendment No. 53**

On page 13, line 16, of said bill, strike out "SEC. 62.", and insert "SEC. 57."

**Amendment No. 54**

On page 13, line 22, of said bill, strike out "SEC. 63.", and insert "SEC. 58."

**Amendment No. 55**

On page 13, line 27, of said bill, strike out "SEC. 64.", and insert "SEC. 59."

**Amendment No. 56**

On page 13, line 34, of said bill, strike out "SEC. 65.", and insert "SEC. 60."

**Amendment No. 57**

On page 13, line 37, of said bill, strike out "SEC. 66.", and insert "SEC. 61."

**Amendment No. 58**

On page 13, line 42, of said bill, strike out "SEC. 67.", and insert "SEC. 62."

**Amendment No. 59**

On page 13, line 43, of said bill, strike out "SEC. 68.", and insert "SEC. 63."

**Amendment No. 60**

On page 13, line 49, of said bill, strike out "SEC. 69." and insert "SEC. 64."

**Amendment No. 61**

On page 13, line 50, of said bill, strike out "SEC. 70.", and insert "SEC. 65."

**Amendment No. 62**

On page 13, line 52, of said bill, after "California", strike out the period, and insert ", which shall be organized and operated pursuant to the provisions of this part."

**Amendment No. 63**

On page 13 of said bill, after line 52, insert

"SEC. 66. Section 12543 is added to said code, to read:

12543. The board shall select such attorneys to represent it as may be necessary."

**Amendment No. 64**

On page 14, line 1, of said bill, strike out "SEC. 71.", and insert "SEC. 67."

**Amendment No. 65**

On page 14, line 16, of said bill, strike out "SEC. 72.", and insert "SEC. 68."

**Amendment No. 66**

On page 14, line 21, of said bill, strike out "SEC. 73.", and insert "SEC. 69."

**Amendment No. 67**

On page 14, line 26, of said bill, strike out "SEC. 74.", and insert "SEC. 70."

**Amendment No. 68**

On page 15, line 1, of said bill, strike out "SEC. 75.", and insert "SEC. 71."

**Amendment No. 69**

On page 15, line 7, of said bill, strike out "SEC. 76.", and insert "SEC. 72."

**Amendment No. 70**

On page 15, line 17, of said bill, strike out "SEC. 77.", and insert "SEC. 73."

**Amendment No. 71**

On page 15, line 19, of said bill, after "Commission", strike out the period, and insert ", which shall be organized and operated under the provisions of this division."

**Amendment No. 72**

On page 15 of said bill, strike out lines 20 to 26, inclusive.

**Amendment No. 73**

On page 15, line 27, of said bill, strike out "SEC. 79.", and insert "SEC. 74."

**Amendment No. 74**

On page 15 of said bill, between lines 31 and 32, insert "SEC. 75. Section 20034 is added to said code, to read: 20034. The legal division of the department shall be the attorney for the commission."

**Amendment No. 75**

On page 15, line 32, of said bill, strike out "SEC. 80.", and insert "SEC. 76."

**Amendment No. 76**

On page 15, line 43, of said bill, strike out "SEC. 81.", and insert "SEC. 77."

**Amendment No. 77**

On page 15, line 50, of said bill, strike out "SEC. 82.", and insert "SEC. 78."

**Amendment No. 78**

On page 16, line 3, of said bill, strike out "SEC. 83.", and insert "SEC. 79."

**Amendment No. 79**

On page 16, line 9, of said bill, strike out "SEC. 84.", and insert "SEC. 80."

**Amendment No. 80**

On page 16, line 16, of said bill, strike out "SEC. 85.", and insert "SEC. 81."

**Amendment No. 81**

On page 17, line 23, of said bill, strike out "the simultaneous construction of".

**Amendment No. 82**

On page 17, line 24, of said bill, strike out ", and not for portions of such work".

**Amendment No. 83**

On page 18, line 1, of said bill, strike out "SEC. 86.", and insert "SEC. 82."

**Amendment No. 84**

On page 18, line 4, of said bill, strike out "LAW".

**Amendment No. 85**

On page 18 of said bill, strike out lines 6 to 51, inclusive, and strike out pages 19, 20, 21, 22, and on page 23 strike out lines 1 to 33, inclusive, and insert "20200. As used in this division "district" means any district organized by, or formed pursuant to, state law.

20201. The provisions of this division shall apply only to cooperation and contracts with the United States under the Federal Reclamation Act of June 17, 1902, and all

acts amendatory thereto or any act of Congress heretofore or hereafter enacted permitting cooperation, by any district for the accomplishment of any activity with respect to which cooperation and contracts are authorized by the law under which the district is organized. To the extent that the provisions of this division are applicable, they shall supersede all other provisions of law, both general and specific.

20202. The provisions of this chapter apply only to proceedings taken under it and do not apply to district operations unrelated to cooperation with the United States.

20203. Nothing contained in this division shall permit or authorize any term or provision of a contract between the United States or any of its agencies and the State of California or any district of the State of California which term or provision would:

(a) Deprive or does not provide to any district or any landowners therein of the benefits of a permanent water right or the right being appurtenant to the lands to be served.

(b) Permit or authorize the application of any rule or regulation inconsistent with the laws of this State governing the district.

20204. It is hereby declared that the laws of this State recognize the principle that water rights are appurtenant and permanent, subject only to reasonable use.

20205. Any cooperation or contracts within the scope of this division shall be consistent with the laws of the State of California.

20206. The provisions of this division shall apply to cooperation and contract for any or all of the following purposes:

(a) Acquisition, extension, or operation of works for irrigation or drainage or development and distribution of electric power or any or all of these purposes.

(b) A water supply.

(c) Assumption as principal or guarantor of indebtedness to the United States on account of district land.

(d) Borrowing or procuring money from the United States to finance any of the operations of the district.

(e) Financing or refinancing obligations of the district, including outstanding warrants or other indebtedness.

(f) Purchasing or refunding bonds of the district.

(g) Accomplishing any of the purposes of the district.

Any water supply obtained pursuant to this division shall be permanent and appurtenant to the lands within the district except that such a supply may be acquired on a temporary basis for periods not exceeding one year and during construction or development periods.

20207. All contracts with the United States for a water supply or the use of any dam, storage, canal, or other works constructed or operated by the United States shall contain:

(a) A statement of the maximum costs to be paid by the district as its share of all works used or usable for supplying water under the contract, including but not limited to, any major project works through which the water is supplied.

(b) A statement of the maximum amount to be repaid by the districts on construction costs allocated to and repayable for irrigation purposes.

(c) Provisions for determining the credit to be made to the district on construction costs.

(d) Date when full payment will be made.

20208. All water, the right to the use of which is acquired by a district under any contract with the United States shall be distributed and apportioned by the district in accordance with applicable state laws. Provision may be made in the contract for the refusal of water service to any or all land which may become delinquent in the payment of any assessment levied for the purpose of carrying out the contract.

20209. A proposal to enter into a contract with the United States shall be authorized at an election if the contract is for any or all of the following:

(a) Repayment of construction money.

(b) Repayment of the cost of acquiring any property.

(c) Issuance of bonds.

(d) Water supply.

20210. Proceedings at the election shall be had insofar as applicable in the manner provided in the case of the ordinary issuance of district bonds, or, if the district is not authorized to issue bonds, in the manner provided for general district elections.

20211. The proposal shall be submitted to the commission for its examination and approval as provided in Section 20153. No proposal may be submitted at an election until it has been approved by the commission.

20212. Notice of the election shall contain in addition to the information required in the case of ordinary bond, or general, elections a statement of the maximum amount of money to be payable to the United States for construction purposes and cost of water supply and acquisition of property, exclusive of penalties and interest, and a general statement of the property, if any, to be conveyed by the district pursuant to the contract.

20213. The ballots at the election shall contain a brief statement of the general purpose of the contract substantially as stated in the notice of election and the extent of the obligation to be assumed with the words "Contract—Yes" and "Contract—No" or "Contracts and bonds—Yes" and "Contracts and bonds—No" whichever may be applicable.

20214. A district shall submit any contract or proposed contract and bond issue to the superior court of the county in which is situated the office of its governing body to determine the validity thereof, including but not limited to its terms and provisions, the authority of the district to make the contract, and the authority for and validity of the issuance and deposit or transfer of the bonds. The validation proceedings shall be had as in the ordinary case of the judicial determination of the validity of irrigation district bonds and with like effect.

20215. The assessment required in any year to meet the payment due to the United States for all purposes under the contract shall be levied and collected in accordance with the state law governing the district."

**Amendment No. 86**

On page 23, line 34, of said bill, strike out "SEC. 87.", and insert "SEC. 83."

**Amendment No. 87**

On page 23, line 35, of said bill, strike out "SEC. 88.", and insert "SEC. 84."

**Amendment No. 88**

On page 23, line 39, of said bill, strike out "SEC. 89.", and insert "SEC. 85."

**Amendment No. 89**

On page 23 of said bill, strike out lines 43 and 44, and insert

"SEC. 86. Section 23196 of said code is amended to read:

23196. The cooperation and contract may be for any or all of the following purposes:

(a) Acquisition, extension, or operation of works for irrigation or drainage or development and distribution of electric power or any or all of these purposes.

(b) A water supply.

(c) Assumption as principal or guarantor of indebtedness to the United States on account of district land.

(d) Borrowing or procuring money from the United States to finance any of the operations of the district.

(e) Financing or refinancing obligations of the district, including outstanding warrants or other indebtedness.

(f) Purchasing or refunding bonds of the district.

(g) Accomplishing any of the purposes of the district.

*Any water supply obtained pursuant to this division shall be permanent and appurtenant to the lands within the district except that such a supply may be acquired on a temporary basis for periods not exceeding one year and during construction or development periods."*

**Amendment No. 90**

On page 23, line 45, of said bill, strike out "SEC. 91.", and insert "SEC. 87."

**Amendment No. 91**

On page 24, line 1, of said bill, strike out "SEC. 92.", and insert "SEC. 88."

**Amendment No. 92**

On page 24, line 7, of said bill, strike out "SEC. 93.", and insert "SEC. 89."

**Amendment No. 93**

On page 24, line 14, of said bill, strike out "SEC. 94.", and insert "SEC. 90."

**Amendment No. 94**

On page 24, line 31, of said bill, strike out "SEC. 95.", and insert "SEC. 91."

**Amendment No. 95**

On page 24, line 40, of said bill, strike out "SEC. 96.", and insert "SEC. 92."

**Amendment No. 96**

On page 24, line 45, of said bill, strike out "SEC. 97.", and insert "SEC. 93."

**Amendment No. 97**

On page 24, line 50, of said bill, strike out "SEC. 98.", and insert "SEC. 94."



**Amendment No. 98**

On page 25, line 3, of said bill, strike out "SEC. 99.", and insert "SEC. 95."

**Amendment No. 99**

On page 25, line 15, of said bill, strike out "SEC. 100.", and insert "SEC. 96."

**Amendment No. 100**

On page 25, line 33, of said bill, strike out "SEC. 101.", and insert "SEC. 97."

**Amendment No. 101**

On page 25, line 40, of said bill, strike out "SEC. 102.", and insert "SEC. 98."

**Amendment No. 102**

On page 25, line 41, of said bill, strike out "SEC. 103.", and insert "SEC. 99."

**Amendment No. 103**

On page 25, line 47, of said bill, strike out "SEC. 104.", and insert "SEC. 100."

**Amendment No. 104**

On page 26, line 35, of said bill, strike out "SEC. 105.", and insert "SEC. 101."

**Amendment No. 105**

On page 26, line 41, of said bill, strike out "SEC. 106.", and insert "SEC. 102."

**Amendment No. 106**

On page 26, line 47, of said bill, strike out "SEC. 107.", and insert "SEC. 103."

**Amendment No. 107**

On page 27, line 8, of said bill, strike out "SEC. 108.", and insert "SEC. 104."

**Amendment No. 108**

On page 27, line 20, of said bill, strike out "SEC. 109.", and insert "SEC. 105."

**Amendment No. 109**

On page 27, line 31, of said bill, strike out "SEC. 110.", and insert "SEC. 106."

**Amendment No. 110**

On page 28, line 5, of said bill, strike out "SEC. 111.", and insert "SEC. 107."

**Amendment No. 111**

On page 28, line 14, of said bill, strike out "SEC. 112.", and insert "SEC. 108."

**Amendment No. 112**

On page 28, line 26, of said bill, strike out "SEC. 113.", and insert "SEC. 109."

**Amendment No. 113**

On page 28, line 28, of said bill, strike out "SEC. 114.", and insert "SEC. 110."

**Amendment No. 114**

On page 28, line 30, of said bill, strike out "SEC. 115.", and insert "SEC. 111."

**Amendment No. 115**

On page 28, line 34, of said bill, after "(b)", insert "the Water Project Authority as to any project under the jurisdiction of that body, and (c)".

**Amendment No. 116**

On page 28, line 38, of said bill, strike out "SEC. 116.", and insert "SEC. 112."

**Amendment No. 117**

On page 28, line 44, of said bill, strike out "SEC. 117.", and insert "SEC. 113."

**Amendment No. 118**

On page 29, line 4, of said bill, strike out "SEC. 118.", and insert "SEC. 114."

**Amendment No. 119**

On page 29, line 16, of said bill, strike out "SEC. 119.", and insert "SEC. 115."

**Amendment No. 120**

On page 29, line 23, of said bill, strike out "SEC. 120.", and insert "SEC. 116."

**Amendment No. 121**

On page 29, line 35, of said bill, strike out "SEC. 121.", and insert "SEC. 117."

**Amendment No. 122**

On page 29, line 41, of said bill, strike out "SEC. 122.", and insert "SEC. 118."

**Amendment No. 123**

On page 29, line 46, of said bill, strike out "SEC. 123.", and insert "SEC. 119."

**Amendment No. 124**

On page 30, line 7, of said bill, strike out "SEC. 124.", and insert "SEC. 120."

**Amendment No. 125**

On page 30, line 16, of said bill, strike out "SEC. 125.", and insert "SEC. 121."

**Amendment No. 126**

On page 30, line 33, of said bill, strike out "SEC. 126.", and insert "SEC. 122."

**Amendment No. 127**

On page 31, line 17, of said bill, strike out "SEC. 127.", and insert "SEC. 123."

**Amendment No. 128**

On page 31, line 34, of said bill, strike out "SEC. 128.", and insert "SEC. 124."

**Amendment No. 129**

On page 31, line 49, of said bill, strike out "SEC. 129.", and insert "SEC. 125."

**Amendment No. 130**

On page 32, line 9, of said bill, strike out "SEC. 130.", and insert "SEC. 126."

**Amendment No. 131**

On page 32, of said bill, strike out lines 14 to 23, inclusive.

**Amendment No. 132**

On page 32, line 24, of said bill, strike out "SEC. 132.", and insert "SEC. 127."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE CONCURRENT RESOLUTION NO. 16**

Senator Hatfield moved that Senate Concurrent Resolution No. 16 be withdrawn from Committee on Rules for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Concurrent Resolution No. 16**—Relative to a survey of State utilization of a microwave system of communications.

Resolution read.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed measure, following "microwave", insert "or wire line".

**Amendment No. 2**

On page 1, in line 2, of said measure, following "its", insert "notice of".

**Amendment No. 3**

On page 1 of said measure, strike out lines 5 and 6, and insert "consideration be given to other methods of communication, which notice stated in part: "Initially, the commission wishes to emphasize as strongly as possible that its proposal in no way intended to terminate the market news service in the State of California, nor do we believe that adoption of this proposal will, in fact, require the service to be terminated. The commission has a full appreciation and awareness of the importance and value of the market news service and of the necessity for maintaining it in California. However, we believe, for the reasons set forth in detail below, that the public interest requires that the use of radio frequencies below 25,000 kc for this service by FSMNS should be discontinued and that conversion to wire lines or to available microwave frequencies will result in improvement in the market news service which will be of benefit to its users in the State of California." (Published in 17 Federal Register, page 8667); and".

**Amendment No. 4**

On page 1, in line 10, of said measure, following "microwave", insert "or wire line".

**Amendment No. 5**

On page 1, in line 13, of said measure, strike out "state agencies", and insert "public agencies, both state and local".

**Amendment No. 6**

On page 1, in line 19, of said measure, strike out "for state agencies, including", strike out line 20, and insert "a wire line system of communications or any alternative system of communications which would meet the need, including estimates of the cost of establishing such systems."

Amendments read, and adopted.

Resolutions ordered printed, and re-referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1662**

Senator Hatfield moved that Senate Bill No. 1662 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1662**—An act to amend Sections 58853, 58854, 58855, 58857 and 58859 of, and to add Sections 58855.1 and 58855.2 to, the Government Code, relating to change of district boundaries.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Sections", insert "58850.1".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 58850.1 is added to the Government Code, to read:

58850.1. The amendments made to this chapter by the 1953 Session of the Legislature shall not apply to counties of over one million population, but such counties shall continue to be governed under the provisions of this chapter as it read on January 1, 1953.

SEC. 1.5. Section 58853 of said code is amended to read:".

**Amendment No. 3**

On page 1, line 9, of said bill, after "districts", insert ", irrigation districts, metropolitan water districts, municipal utility districts, public utility districts, county water districts, municipal water districts, California water districts, water conservation districts, or county water authorities".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1467**

Senator Dorsey moved that Senate Bill No. 1467 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1467**—An act to amend Sections 8100 and 8121.5 of the Streets and Highways Code, relating to separation of grade districts.

Bill read second time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 8100 and 8121.5 of", and insert "Section 8121.5 of, and to add Chapter 14 to Part 2 of Division 9 of,".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 8121.5 of the Streets and Highways Code is amended to read:".

**Amendment No. 3**

On page 1, lines 9 to 11, inclusive, of said bill, strike out "and in addition shall determine whether or not any parcel so excluded will be benefited if and when inhabited".

**Amendment No. 4**

On page 1 of said bill, strike out lines 14 to 29, inclusive, and insert "SEC. 2. Chapter 14 is added to Part 2 of Division 9 of said code, to read:

**CHAPTER 14. ANNEXATION OF TERRITORY**

8275. At any time after the formation of a district the board may determine that contiguous territory should be annexed to the district.

8276. The board shall fix a time and place for hearing of the matter of annexation and shall direct its clerk to publish a notice once a week for two successive weeks in any newspaper circulated in the county which the board deems most likely to give notice to the landowners of the territory proposed to be annexed.

8277. The notice shall contain a description of the territory proposed to be annexed and the time and place at which objections to the annexation will be heard.

8278. At the time and place of hearing, or at any time to which it is continued, the board shall consider any objections which may be filed against the annexation of any territory to the district.

8279. After the hearing the board may refuse to annex any territory to the district or it may include all or a portion of the territory proposed to be annexed. If the board determines to annex any territory it shall by order entered on its minutes alter the boundaries of the district and annex thereto all or such portion of the territory as will be benefited by inclusion in the district.

8280. Any territory which will not be benefited by inclusion in the district shall not be included in the district.

8281. The order of annexation shall be conclusive evidence of the validity of all prior proceedings leading to the annexation recited therein and upon the making of the order, the territory shall become a part of the district and shall be taxed, together



with the remainder of the district, for all taxes thereafter levied by the board for the purposes of the district."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

**Senate Bill No. 1437**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1908

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 1908**—An act to add Title 8 to the Government Code, to consolidate and revise the law relating to a system of courts of the State and judges, officials, attaches and employees thereof, to repeal acts and parts of acts specified therein, and to amend Sections 61.4, 269, and 274c of the Code of Civil Procedure, to repeal Section 36 of the Code of Civil Procedure, and to add Section 3020.5 to the Government Code.

Referred to Committee on Finance.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 528	Assembly Bill No. 1864
Senate Bill No. 1232	Assembly Bill No. 1866
Assembly Bill No. 512	Assembly Bill No. 1869
Assembly Bill No. 1861	Assembly Bill No. 2150
Assembly Bill No. 1862	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 548	Assembly Bill No. 1863
Senate Bill No. 549	Assembly Bill No. 1867
Senate Bill No. 658	Assembly Bill No. 1868

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:  
Senate Bill No. 1322

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Joint Interim Committee on Agriculture for study.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bill re-referred to the Interim Committee on Agriculture.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:  
Senate Concurrent Resolution No. 48

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported resolution ordered to third reading.

**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Senate Bill No. 1594

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

BREED, Chairman

Above reported bill ordered to second reading.

**Committee on Agriculture**

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 173  
Senate Bill No. 1353  
Senate Bill No. 1527

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills ordered to second reading.

**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Assembly Bill No. 1883

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 416                      Assembly Bill No. 417  
Assembly Bill No. 428                      Assembly Bill No. 418

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 419

Assembly Bill No. 422

Assembly Bill No. 420

Assembly Bill No. 423

Assembly Bill No. 421

Assembly Bill No. 424

Assembly Bill No. 430

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 426

Assembly Bill No. 431

Assembly Bill No. 427

Assembly Bill No. 434

Assembly Bill No. 429

Assembly Bill No. 435

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 437

Assembly Bill No. 445

Assembly Bill No. 438

Assembly Bill No. 433

Assembly Bill No. 447

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

BREED, Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 87

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: Your Committee on Rules has examined:

**Senate Bill No. 1226**—An act to add Section 3300.45 to the Health and Safety Code, relating to the payment of burial expenses of tuberculosis patients in institutions subject to the jurisdiction of the Department of Corrections;

And reports that the same has been correctly enrolled, and presented to the Governor on the twentieth day of March, 1953, at 12 m.

POWERS, Chairman

**ADJOURNMENT**

At 12.31 p.m., on motion of Senator Miller, the President declared the Senate adjourned until 2 p.m., Monday, March 23, 1953.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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SENATE DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY

FORTY-FIRST CALENDAR DAY

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IN SENATE

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SENATE CHAMBER, SACRAMENTO

Monday, March 23, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Harold T. Johnson, on motion of Senator Miller, due to legislative business.

PLEDGE OF ALLEGIANCE

Senator Miller led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. O. Blackman and McIntyre Faries of Los Angeles, and Dr. Frank Dyer of Santa Monica.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Melvin Savage of San Francisco.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vernon J. Cristina, Robert Minardi of San Jose; Edward Cali of Cupertino, Mr. and Mrs. E. D. Matthews, and Mr. and Mrs. J. L. Hall of Agnew.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Edwin Loudon, teacher, and the following students of the Yreka High School: Barbara Manney, Carole Casterline, Sharon Cunningham, Diane Hibbard, Gayle White, Judy Swenson, Shirley Thomas, Claudia Kent, Chris Funk, Jo Ann Burns, Noel Sullivan, Beverly Jackson, Nancy Hippler, Nancy Dall, Josephine Roush, Jean Sessions, Marilyn Cummins, Charlotte Burger, Sandra Lange, Blanche Russell, Norman Wilson, Andy Davis, Bob Quandros, Gary Townley, Duane Burket, Bob Anderson, Marvin Hannah, Bill Cameron, Ronald Cleland, and Denny Hume.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Walter McCarrroll, Santa Ana; Howard Crooke, Placentia; Mr. and Mrs. Merwin Wagner, Placentia; Chas. Pearson, Anaheim; Royal Hubbard, Santa Ana; M. E. Ford, Yorba Linda; Mr. and Mrs. Ross Shafer, Tustin; Walter Schmid, Garden Grove; J. W. Crill, Garden Grove, and H. Rodger Howell, Santa Ana.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Stewart Norton, Coquille, Oregon; Mrs. Lyman Thompson, Vista, and Mr. and Mrs. Delvin Dickson of San Diego.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Theo Sweatt of Sacramento; Mrs. D. L. Abshire of Oakland, and Mrs. F. Presley Abshire of Geyserville.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. LaVerne Hays and Mr. Arthur Gleason, teachers, and the following students of the Dinuba High School: Jerry Alendal, Francis Cotton, Richard Dye, Art Ekizian, James Ward, Ernest Cooper, J. C. Riggs, Sibley White, Darril Wipf, Lee Max Brown, Clinton Koop, Jerry Fountain, Gary Friesen, Johnny Acosta, Ray Nielson, Ann Donie, Mary Drew, Marine Chung, Frances Mello, Frances Wright, Betty Lacey, Rosemary Rogers, Martha Arnold, Kay Delbridge, Betty Harris, Joanne Nesgis, Pat Kachigian, Mildred Runjovas, Mildred Boatman, Evelyn Eaton, Sue Halls, Lesta Bedrosian, and Julie Ramon.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry E. Drobish of Bangor.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Philip Iekler of Oakland.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elsie McMe, Mrs. Jean Stevens both of Camino, and Mrs. Edward Allen of Sacramento.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults Marjorie Ackerman, Elizabeth Eriksen, Mrs. McGee, Crystal Dyer, Mrs. L. Richards, Mrs. Marge Malm, Mrs. Nelson and the following members of the Camp Fire Girls of Richmond: Lulu Potnott, Dianne Penning, Eleanor Duarte, Jackie Erickson, Sharon Solmson, Jimmy Dyer, Gloria Dyer, Kay Ackerman, Ann Erickson, Linda Eriksen, Margaret Eriksen, Rolf Eriksen, Lea Ackerman, Carole Richards, Virginia Ruth Rosser, Judith Martin, Leilani Mason, Ellen Sossoman, Patricia Irish, Lorna Armstrong, Suzanne Malm, and Penny McGee.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. K. T. M. White, Mrs. White and their daughter, Shirley; Miss Ann Watson, member, League of Women Voters, of San Francisco; Miss Martha Casper, Mr. Richard Moore, Mr. Leslie Crain, Mr. P. C. Horne, Mr. H. DeLosada, all members of the Warehousemen Union No. 6 of San Francisco.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to LeRoy Lyon, Sr. of Fullerton.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Philip Adams, esquire, and Stephen Adams, young son, of San Francisco.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 187  
Senate Bill No. 764

Senate Bill No. 819  
Senate Bill No. 1332

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 49  
Senate Bill No. 125

Senate Bill No. 546  
Senate Bill No. 1085

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above bills ordered enrolled.

#### Senator McCarthy Presiding

At 2.15 p.m., Senator John F. McCarthy of the Thirteenth District, presiding.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 45

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolution was read:

**Assembly Concurrent Resolution No. 45**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 45, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 45**

**Assembly Concurrent Resolution No. 45**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, and Weybret—29.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 337  
Assembly Bill No. 396  
Assembly Bill No. 477  
Assembly Bill No. 511  
Assembly Bill No. 697  
Assembly Bill No. 953  
Assembly Bill No. 968  
Assembly Bill No. 1075  
Assembly Bill No. 1335  
Assembly Bill No. 1343  
Assembly Bill No. 1346

Assembly Bill No. 1676  
Assembly Bill No. 2023  
Assembly Bill No. 2026  
Assembly Bill No. 2160  
Assembly Bill No. 2251  
Assembly Bill No. 2322  
Assembly Bill No. 2336  
Assembly Bill No. 2505  
Assembly Bill No. 2696  
Assembly Bill No. 3030

**ARTHUR A. OHNIMUS**, Chief Clerk of the Assembly  
**By ROBERT S. THURN**, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 337**—An act to amend Section 1330 of the Penal Code, relating to the attendance of witnesses who reside or who are served with subpoena outside of the county in which the offense is triable.

Referred to Committee on Judiciary.



**Assembly Bill No. 396**—An act to amend Section 1062 of the Probate Code, relating to the treasurer's receipt for money deposited after the sale of personal property.

Referred to Committee on Judiciary.

**Assembly Bill No. 477**—An act to amend Section 734 of the Welfare and Institutions Code, relating to proceedings against minors accused of crime.

Referred to Committee on Judiciary.

**Assembly Bill No. 511**—An act to add Section 1550.6 to the Welfare and Institutions Code, relating to reinvestigation of eligibility for aid to needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 697**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 953**—An act to amend Section 846 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 968**—An act to amend Sections 11555, 11556, and 11557 of the Health and Safety Code, relating to the regulation and control of narcotics.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1075**—An act to amend Sections 2810 and 8140 of the Elections Code, relating to the nomination and election of presidential electors.

Referred to Committee on Elections.

**Assembly Bill No. 1335**—An act to amend Section 10270 of the Insurance Code and Section 16424 of the Education Code, relating to disability insurance.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1343**—An act to amend Sections 1364 and 1366 of the Financial Code, relating to legal investments of savings banks.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1346**—An act to amend Section 4895 of the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1676**—An act to add Section 3472.3 to the Welfare and Institutions Code, relating to gross income of a recipient of aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2023**—An act to amend Sections 1205, 1207, 1213, 1326, 1427, and 1428 of the Penal Code, relating to proceedings in criminal cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 2026**—An act to amend and renumber Section 681 of the Penal Code, relating to cruel and unusual punishment.

Referred to Committee on Judiciary.

**Assembly Bill No. 2160**—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2251**—An act to amend Section 802 of the Agricultural Code, relating to grapes.

Referred to Committee on Agriculture.

**Assembly Bill No. 2322**—An act to add Sections 18110, 18111, and 18112 to the Health and Safety Code, relating to the use of any appliance, material, installation, device, arrangement, or method of construction in auto courts, resorts, motels, and trailer parks.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2336**—An act to amend Section 429.6 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2505**—An act to amend Sections 380.51, 380.55, 380.56, 380.58, 380.62, and 380.70 of, and to repeal Sections 380.52 and 380.57 of the Agricultural Code, relating to hide and brand inspection and slaughter of animals other than bovine animals.

Referred to Committee on Agriculture.

**Assembly Bill No. 2696**—An act to add Section 117 to the Welfare and Institutions Code, relating to sworn statements of applicants for or recipients of public assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 3030**—An act to amend Section 4615 and 4617 of the Health and Safety Code, relating to sewer districts.

Referred to Committee on Public Health and Safety.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1674  
Assembly Bill No. 2240

Assembly Bill No. 2507  
Assembly Bill No. 2604

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 1674**—An act to amend Section 3082.1 of the Welfare and Institutions Code, relating to persons administering aid to the partially self-supporting and needy blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2240**—An act to amend Section 5360 of the Welfare and Institutions Code, relating to drug addicts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2507**—An act to amend the heading of Chapter 7 of Division 3 of, and to amend Sections 435 and 436 of, the Agricultural Code, relating to unlawful marking, branding and transporting of live-stock or carcasses thereof.

Referred to Committee on Agriculture.

**Assembly Bill No. 2604**—An act to amend Section 17818 of the Health and Safety Code, relating to apartment houses and hotels.

Referred to Committee on Public Health and Safety.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 31

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 72

Senate Bill No. 1224

Senate Bill No. 214

Senate Bill No. 1403

Senate Bill No. 626

Senate Bill No. 628

Senate Bill No. 627

Senate Joint Resolution No. 26

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 854

Senate Bill No. 1604

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 67

Senate Bill No. 543

Senate Bill No. 93

Senate Bill No. 724

Senate Bill No. 133

Senate Bill No. 1135

Senate Concurrent Resolution No. 48

And reports the same correctly engrossed.

POWERS, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 758

Senate Bill No. 1278

Senate Bill No. 1268

Senate Bill No. 1656

Senate Bill No. 1271

Assembly Bill No. 1929

Senate Bill No. 1272

Assembly Bill No. 1928

Senate Bill No. 1273

Assembly Bill No. 1927

Senate Bill No. 1274

Assembly Bill No. 1899

Senate Bill No. 1275

Assembly Bill No. 1177

Senate Bill No. 1277

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Assembly Bill No. 1897

Assembly Bill No. 1925

Assembly Bill No. 1924

Assembly Bill No. 1926

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 91

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**RESOLUTIONS**

The following resolution was offered:

By Senator Powers:

**Senate Resolution No. 90**

WHEREAS, The Members of the Senate learned with deep regret of the illness which attacked junior members of the interesting family of the Honorable Bartley W. Cavanaugh, the efficient and genial City Manager of Sacramento, and

WHEREAS, The Members of the Senate have followed with great interest the progress Miss Maggie Cavanaugh has made in her heroic struggle against the ravages of a disease which attacked her in the full bloom and charm of youth, and

WHEREAS, The news that surgical skill, coupled with the courage of this fine wholesome young woman, promise to effect a miraculous cure and restore to her the opportunity to live a normal and happy life; now, therefore, be it

*Resolved, by the Senate of the State of California,* That Miss Maggie Cavanaugh be commended for her courage and fortitude in contending with her stealthy enemy and congratulated upon her prospects for recovery, and be it further

*Resolved,* That the Secretary of the Senate be, and he is hereby instructed to have prepared a suitably engrossed copy of this resolution and present it to Miss Maggie Cavanaugh.

Resolution read, and unanimously adopted on motion of Senator Powers.



**President pro Tempore of the Senate Presiding**

At 2.25 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**REPORT OF COMMITTEE ON CONFERENCE**

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, March 16, 1953

MR. PRESIDENT: The Committee on Conference concerning:

**Senate Bill No. 1437**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

On page 1, line 20, of the printed bill, as amended, after "The", insert "name and address of the person for whom prescribed and the", and strike out "address, name, telephone and registered num-"; and line 21, and insert "name, address, telephone number and registered number of the prescriber must be recorded on the prescription."

KRAFT  
GRUNSKY  
THOMPSON

SMITH  
ERNEST R. GEDDES  
RUMFORD

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Above bill ordered enrolled.

**Call of the Senate**

Senator McCarthy moved a call of the Senate.

Motion carried. Time, 2.27 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****LETTER OF TRANSMITTAL**

SENATE CHAMBER, STATE CAPITOL, March 23, 1953

*Hon. Goodwin J. Knight, President of the Senate*

*Senate Chamber, State Capitol,  
Sacramento, California*

MR. PRESIDENT: Your Senate Investigating Committee on Petitions and Complaints was created by Senate Resolution No. 29, adopted August 12, 1952, by the Second Extraordinary Session of the Legislature.

There is transmitted herewith a report on one of the petitions and complaints on which we held a hearing.

Our final report will be ready in a few days.

Respectfully submitted,

NELSON S. DILWORTH, Chairman  
JAMES E. CUNNINGHAM

**MOTION TO PRINT REPORT**

Senator Dilworth moved that the letter of transmittal be printed in the Journal, and the report submitted by Senate Investigating Committee on Petitions and Complaints be printed in the Appendix to the Journal, and 2,000 additional copies be printed for distribution.

Motion carried.

## LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION

SAN FRANCISCO 2, March 23, 1953

*Hon. Ben Hulse, Chairman  
and Members of the Senate Interim Committee  
on State and Local Taxation  
State Capitol, Sacramento, California*

HONORABLE GENTLEMEN: In accordance with the instructions of the committee pursuant to Assembly Concurrent Resolution No. 109, read and adopted June 23, 1951 by the California Legislature at the 1951 Regular Session, the research staff herewith submits Part Six of the committee report entitled "Property Assessments and Equalization in California."

By way of introduction and background the report first deals with the legal pattern of equalization within the State; presents a history of equalization through Chapter 1466, Statutes of 1949, and subsequent developments; and presents a comparison of assessment equalization in California with equalization procedures in other states.

The report then undertakes to examine the problems of utility valuation in general and state assessment of utility property in California in particular. Following this analysis, the intercounty equalization of locally assessed property is discussed. The report concludes with some observations relating to the problems of intercounty and intracounty assessment equalization which must be solved before real assessment equalization can be achieved in California.

The research staff wishes to acknowledge the generous assistance extended by the Valuation Division and the Division of Assessment Standards of the State Board of Equalization. A large debt is owed to the many real estate brokers and appraisers who as public-spirited citizens contributed their services to assist the committee in the appraisal aspects of the study. We further wish to express appreciation for the cooperation extended by the county assessors of the State. Special thanks are due the California Real Estate Association and the representatives of the major utility companies studied in this report. The assistance of the Legislative Counsel is also gratefully acknowledged.

Every effort has been made to document the report carefully and to acknowledge all sources of information. Any errors or omissions of acknowledgment are unintentional. The staff accepts full responsibility for them and stands ready to correct them.

The staff also wishes to thank the members of the committee for their assistance and counsel, and for their critical review of the content of the report.

Respectfully submitted,

WILLIAM K. SCHMELZLE  
Executive Secretary

## LETTER OF TRANSMITTAL

SENATE COMMITTEE ON STATE AND LOCAL TAXATION

SACRAMENTO, March 23, 1953

*President of the Senate  
California Legislature  
Sacramento, California*

Dear Sir:

Pursuant to Senate Resolution No. 190, read and adopted June 23, 1951 by the Senate of California at the 1951 Regular Session of the Legislature, and Assembly Concurrent Resolution No. 109, read and adopted by the Legislature on June 23, 1951 at the 1951 Regular Session, the Senate Interim Committee on State and Local Taxation herewith submits Part Six of its report. This part of the report is entitled "Property Assessments and Equalization in California."

The report begins with a discussion of the pattern of responsibility for equalization in California and a history of assessment equalization through Chapter 1466, Statutes of 1949. It then proceeds to analyze state assessment of public utility property and the equalization of locally-determined property assessments as between the counties of the State.

The committee wishes to take this opportunity to thank the many state and local officials who cooperated with the staff in the preparation of this report. Special thanks are due the many real estate appraisers and brokers of the State who gave generously of their time to assist the committee in the large undertaking it assumed with respect to property valuations.

Respectfully submitted,

BEN HULSE, Chairman  
CLARENCE C. WARD, Vice Chairman  
HARRY L. PARKMAN  
HAROLD J. POWERS  
HUGH M. BURNS

**MOTION TO PRINT REPORT**

Senator Hulse moved that the letter of transmittal by William K. Schmelzle and the letter of transmittal by the committee be printed in the Journal, and the Part Six of the report submitted by the Senate Interim Committee on State and Local Taxation be printed in the Appendix to the Journal, and 3,000 additional copies be printed for distribution.

Motion carried.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:  
By Senator Coombs:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 13196 of the Government Code, relating to the use of water of the Napa State Farm.

Respectfully submitted,

SENATOR NATHAN F. COOMBS

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, and Way—32.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time:

**Senate Bill No. 1946:** By Senator Coombs—An act to amend Section 13196 of the Government Code, relating to the use of water of the Napa State Farm.

Referred to Committee on Institutions.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 133 and Assembly Bill No. 839 carry an appropriation.

The President ordered Senate Bill No. 133 and Assembly Bill No. 839 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE****Consideration of Assembly Amendments**

**Senate Bill No. 405**—An act to amend Section 13399 of, and to add Section 13399.5 to, the Health and Safety Code of California, relating to

the installation and operation of dry-cleaning machines employing chlorinated hydrocarbon types of cleaning solvent.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 405?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "A bill", and insert "An act".

**Amendment No. 2**

In lines 1 and 2 of the title of said bill, strike out "Chapter 2, of Part 2, Division 12 of", and insert "of, and to add Section 13399.5 to,".

**Amendment No. 3**

On page 1 of said bill, between lines 15 and 16, insert  
"SEC. 2. Section 13399.5 is added to said code, to read:".

**Amendment No. 4**

On page 1, line 1, of said bill, as amended in Assembly March 12, 1953, after "13399", insert "of the Health and Safety Code".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 405 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Above bill ordered enrolled.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 528**—An act to amend Sections 461, 464, 464.5, and 4357 of the Agricultural Code, relating to the serving and sale of market milk and to the determination of minimum prices for market milk.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1232**—An act to add Section 870.5 to the Agricultural Code, relating to olives.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1594**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 1554 of the Statutes of 1951, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 173**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 2, line 10, of the printed bill, as amended in the Senate March 10, 1953, after "person", insert "not otherwise required to be licensed under the act."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1353**—An act to amend Sections 799 and 802 of the Agricultural Code, relating to grapes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 2, line 17, of the printed bill, strike out "Black Rose", and insert "Black-rose".

**Amendment No. 2**

On page 3, line 3, of said bill, strike out "Black".

**Amendment No. 3**

On page 3, line 4, of said bill, strike out "Rose".

**Amendment No. 4**

On page 3, line 6, of said bill, strike out the period, and insert "; however, the Blackrose variety shall so test either not less than 16 percent or not less than 15 percent if the juice contains soluble solids equal to or in excess of 25 parts to every part of acid contained in the juice (the acidity of the juice to be calculated as tartaric acid without water of crystallization)."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1527**—An act to add Section 316.5 to the Agricultural Code, relating to inspection of vehicles used in transportation of meat.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended, strike out "approved".

**Amendment No. 2**

On page 1, line 10, of said bill, strike out "director and regulations of the", and insert "agency conducting the inspection in such establishments."

**Amendment No. 3**

On page 1 of said bill, strike out lines 11 to 13, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 256**—An act to amend Section 4862 of the Education Code, relating to school districts.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 13, 1953, strike out "amend Section 4862 of", and insert "add Section 4863 to".

**Amendment No. 2**

On page 1 of said bill, as amended, strike out lines 1 to 11, inclusive, and insert "SECTION 1. Section 4863 is added to the Education Code, to read:".

**Amendment No. 3**

On page 1, line 12, of said bill, as amended, strike out "The", and insert "4863. The".

**Amendment No. 4**

On page 1, line 13, of said bill, as amended, strike out the period, and insert "of the junior college by any accrediting association."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 512**—An act to amend Section 628 of the Agricultural Code, relating to sterilized milk and sterilized cream.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1861**—An act to codify Chapter 416 of the Statutes of 1915, relating to the sale of imported butter, by adding Section 593.5 to the Agricultural Code, and repealing Chapter 416 of the Statutes of 1915.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1862**—An act to codify Chapter 170 of the Statutes of 1915 by adding Section 802.7 to the Agricultural Code and repealing Chapter 170 of the Statutes of 1915, relating to raisins.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1864**—An act to codify Chapter 40 of the Statutes of 1923, relating to the importation of parasitic and predaceous insects for pest control, by adding Section 110.5 to the Agricultural Code, and repealing Chapter 40 of the Statutes of 1923.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1866**—An act to codify Chapter 757 of the Statutes of 1921, relating to dogs and providing restrictions upon the running of dogs at large for the protection of livestock, by adding Chapter 9 to Division 3 of the Agricultural Code, and repealing Chapter 757 of the Statutes of 1921.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1869**—An act to codify Chapter 150 of the Statutes of 1947, relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets, by adding Chapter 14 to Division 6 of the Agricultural Code, and repealing Chapter 150 of the Statutes of 1947.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2150**—An act to amend Sections 2 and 3 of an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), as amended, relating to the acceptance and use of such trust asset funds, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1883**—An act to codify Chapter 1188 of the Statutes of 1949, relating to the creation, powers and duties of the Franchise Tax Board, by amending Sections 17003 and 23031 of the Revenue and

Taxation Code and adding Part 10 to Division 3 of Title 2 of the Government Code, comprising Sections 15700, 15701, and 15702, and by repealing Chapter 1188 of the Statutes of 1949.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 416**—An act to add Section 17310.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 428**—An act to add Section 24121f.1 to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 417**—An act to amend Sections 17316, 17317, 17321.3, 17321.5, 17321.7 and 17357 of, and to add Section 17321.9 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 418**—An act to amend Section 17721 of, and to add Sections 17360, 17724.1 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 419**—An act to amend Section 17122 of, and to add Sections 17324.18, 17697.1, 17727 and 17729 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 420**—An act to add Sections 17125.9 and 17746.5 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 421**—An act to amend Section 17748 of, and to repeal Section 17672 of, and to add Sections 17672, 17672.1, 17672.2, 17672.3, 17672.4, and 18586.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 430**—An act to amend Section 25071g of, and to repeal Section 25035 of, and to add Sections 25035, 25035a, 25035b, 25035e, and 25675 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 422**—An act to add Section 17746.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 423**—An act to amend Sections 18434, 18470, 18472 and 18477 of, and to add Sections 17690.8 and 18586.4 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 424**—An act to amend Sections 17732 and 17733 of, and to add Sections 17719.1 and 17728 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 426**—An act to amend Sections 17813, 18132.12, 18163, and 18402 of, and to add Section 18402.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 427**—An act to add Sections 23733a and 23734a to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 429**—An act to amend Section 24181 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 431**—An act to amend Sections 17053.5, 17319.5, 17951, 17952.1, and 17954 of, and to add Sections 17019.9 and 17019.10 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 434**—An act to amend Section 18691.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 435**—An act to repeal Section 18692 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 437**—An act to amend Sections 18831 and 19111 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 438**—An act to add Section 19053.9 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 447**—An act to amend Sections 17055, 17508, 17513, 18132.7, 18173, 18215, 18648, 18689, 18884, 19053.3, 19056, and 19083, and to renumber Section 17788, of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 445**—An act to amend Sections 23038, 23039, 23186, 23251, 23854, 23854.1, 23881, 23911g, 24121a, 24121k.1, 24121k.5, 24121q, 24181b, 24181f, 25031f, 25031j, 25038, 25071, 25071q, 25101a, 25102, 25121a, 25122, 25201a, 25294a, 25295, 25902, 25961, 26080.3, 26163, 26253, and 26481, and to amend and renumber Section 25555a, and to renumber Sections 25031f-1 and 25071r-1, and to repeal Sections 25555 and 26481a of the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act takes effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 433**—An act to add Section 18586.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

### THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 31**—Relating to fire protection districts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Way, Weybret, and Williams—30.

NOES—None.

Resolution transmitted to the Assembly.

Senator Miller Presiding

At 2.39 p.m., Senator George Miller, Jr., of the Seventeenth District, presiding.

**Senate Bill No. 1531**—An act to amend Section 7 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449 of the Statutes of 1951), relating to the Napa County Flood Control and Water Conservation District.

Bill read third time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 16, of the printed bill, strike out "September", and insert "November".

**Amendment No. 2**

On page 1, line 21, of said bill, strike out "November 1, 1953", and insert "February 1, 1954".

**Amendment No. 3**

On page 2, line 14, of said bill, strike out "with", and insert "within".

**Amendment No. 4**

On page 2 of said bill, after line 20, insert

"All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Napa."

Amendments read, and adopted.

Bill ordered printed.

**Motion to Re-refer Senate Bill No. 1531**

Senator Coombs moved that Senate Bill No. 1531 be re-referred to Committee on Water Resources.

Motion carried.

**Senate Bill No. 820**—An act to add Section 1086.2 to the Military and Veterans Code, relating to the Woman's Relief Corps Home.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Way, Weybret, and Williams—30.

**NOES**—Senators Donnelly, Erhart, and Tenney—3.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2.45 p.m., on motion of Senator McCarthy, further proceedings under the call of the Senate were dispensed with.

**RECESS**

At 2.46 p.m., on motion of Senator O'Gara, the Senate recessed for the purpose of allowing Senator O'Gara to introduce some distinguished guests.

Senator O'Gara escorted the Honorable K. T. M. White, British Consul General at San Francisco, his wife and daughter, Shirley, to the rostrum, where Mr. White addressed the Senate briefly.

**REASSEMBLED**

At 2.50 p.m., the Senate reconvened.

Hon. George Miller, Jr., Senator from the Twelfth District, presiding.  
Chief Assistant Secretary Cleve V. Taylor at the desk.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 2.51 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 963**—An act to amend Section 1101 of the California Insurance Code, relating to interest of officers in purchases, sales and loans of admitted insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1713**—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

**Motion to Refer Bill to Inactive File**

Senator McBride moved that Senate Bill No. 1713 be placed on the inactive file.

Motion carried.

**Senate Bill No. 313**—An act to add Sections 1469 and 1470 to the Civil Code, relating to covenants in leases affecting contiguous real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 560**—An act to amend Section 66k of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

**Motion to Re-refer Senate Bill No. 560**

Senator McCarthy moved that Senate Bill No. 560 be re-referred to Committee on Governmental Efficiency.

Motion carried.

**Senate Bill No. 1604**—An act to amend Section 1508 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 628**—An act to amend Section 5 of Chapter 1307 of the Statutes of 1947, and to amend Section 8813 of the Public Resources Code, relating to the California Coordinate System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 71**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Sonoma, State of California, and the disposal of any right, title or interest of the State of California therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

**Motion to Amend Title**

Senator Abshire moved the adoption of the following amendment to the Title of Senate Bill No. 71:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Senate March 19, 1953, after "California," insert "or to reform certain deeds and agreements,".

Amendment read, and adopted.

Senate Bill No. 71 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1349**—An act to amend Sections 2393 and 2429 of the Business and Professions Code, relating to the healing arts.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1403**—An act to amend Section 6537 of the Business and Professions Code, relating to admission to barber colleges.

Bill read third time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 19, 1953, after "of", insert "and to add Section 6548.5 to,".

**Amendment No. 2**

On page 2 of said bill, as amended, after line 7, insert

"SEC. 2. Section 6548.5 is added to said code, the read:

6548.5. If an applicant for a barber's certificate issuable under this chapter twice fails to pass the examination required for the certificate, he shall not be eligible to be examined a third time until at least six months have elapsed from the date of the second examination taken by him; and if he fails the third examination, he shall not be eligible to be examined until at least six months have elapsed from the date of the third or any subsequent examination taken by him."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 476**—An act to amend Section 6060.8 of the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, lines 1 and 2, of the printed bill, strike out "is added to the Business and Professions Code", and insert "of the Business and Professions Code is amended".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**President pro Tempore of the Senate Presiding**

At 3.15 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 1060**—An act to add Section 53200.1 to the Government Code, relating to county group insurance plans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 3.20 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Senate Bill No. 556**—An act to amend Section 28153 of the Government Code and Section 453 of the Education Code, relating to compensation for public services in counties of the fifty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1180**—An act to amend Section 436 of the Education Code, relating to the compensation of the county superintendent of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 854**—An act to amend Section 261g of the Code of Civil Procedure, and to amend Section 69990 and the heading of Article 10, Chapter 5, Title 8 of the Government Code, relating to official reporters of the superior court in and for the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Cunningham asked for and was granted, unanimous consent to have the following letter from the Legislative Counsel Bureau addressed to Senator Regan regarding rule making power of State Lands Commission printed in the Journal immediately preceding final passage of Senate Bill No. 626.

## OPINION OF LEGISLATIVE COUNSEL

SACRAMENTO, CALIFORNIA, March 18, 1953

Hon. Edwin J. Regan  
Senate Chamber

*Rule Making Power of State Lands Commission—No. 7058*

DEAR SENATOR REGAN: You ask what the scope of the rule making power of the State Lands Commission would be under Senate Bill 626.

In our opinion the provisions of Senate Bill 626 would not extend the rule making powers of the State Lands Commission, but would expressly provide that such rules as are adopted under existing powers vested in the commission are applicable to public agencies and political subdivisions, as well as private citizens, who occupy or use state-owned lands under jurisdiction of the commission.

The commission is vested with exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the State, and of the beds of navigable rivers, streams, etc. (Sec. 6301).<sup>\*</sup> The commission may make and enforce reasonable and proper rules and regulations consistent with law for the purpose of carrying out the provisions relating to public lands (Secs. 6001-8508).

Pursuant to such statutory authority the commission has adopted rules governing procedures applicable to the leasing or other use of lands, oil and gas operations, leases and prospecting permits for minerals other than oil and gas, and the sale of school and swamp and overflowed lands.<sup>†</sup>

Senate Bill 626 would not affect the rule making power of the commission. It would, however, expressly provide that such rules of the commission are applicable to public agencies and instrumentalities who use lands within the jurisdiction of the commission to the same extent as other users of such lands.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By BERNARD CZESLA, Deputy

Two copies to Hon. James E. Cunningham, pursuant to Joint Rule 34.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 626**—An act to add Section 6221 to the Public Resources Code, relating to state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 627**—An act to repeal Chapter 81 of the Statutes of 1897, relating to the relinquishing to the United States of America the title of this State of certain lands.

Bill read third time.

<sup>\*</sup> All statutory references are to the Public Resources Code, unless otherwise indicated.

<sup>†</sup> See Chapter 1, Division 3, Title 2, California Administrative Code.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1224**—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 72**—An act to amend Section 11200 of the Health and Safety Code, relating to exemption of certain narcotics from the provisions requiring prescriptions for the issuance of narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 724**—An act to add Sections 3300.46 and 2600.6 to the Health and Safety Code, relating to the control of tuberculosis and communicable disease.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 93**—An act to add Section 2855 to the Health and Safety Code, relating to pest abatement districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 67**—An act to amend Section 3352 of the Labor Code, relating to persons excluded from workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 214**—An act to amend Section 1688 of the Labor Code, relating to licensing of farm labor contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 48**—Relative to administration of the Unemployment Insurance Act.

Resolution read third time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed measure, between lines 26 and 27, insert

"WHEREAS, In enacting Section 45.1 of the Unemployment Insurance Act, providing in part that actions filed by the department to collect contributions must be commenced "within three years after any amount shown to be due in \* \* \* any assessment made by the commission becomes delinquent," the Legislature intended to impose a three-year statute of limitation commencing with the date the contributions would have become delinquent if reported or assessed at the time the contributions were due, and the department is wilfully failing to give effect to said legislative intent; and".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2342**—An act to add Sections 371, 372, and 373 to the Education Code, relating to the sale of publications produced by the county superintendent of schools.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, and Way—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1383**—An act to add Section 2147.6 to the Business and Professions Code, relating to the healing arts.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Thompson, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 309**—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, for public purposes and benefits, and providing for the government, management and control thereof, reserving rights to the State.

**Motion to Refer Bill to Inactive File**

Senator McCarthy moved that Assembly Bill No. 309 be placed on the inactive file.

Motion carried.

**Assembly Bill No. 1901**—An act to codify certain statutes, relating to surveying and mapping, by adding Division 8 to the Public Resources Code and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Ward, and Way—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1263**—An act to amend Sections 10036, 10653, and 10654 of, and to repeal Sections 10051 and 10052 of, the Health and Safety Code, relating to vital records and public health.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C.

Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Ward, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1872**—An act to codify Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939, relating to housing authorities, by adding Chapter 1.5 to Part 2 of Division 24 of the Health and Safety Code, and by adding Sections 34369, 34370, and 34371 thereto, and repealing Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939.

Bill read third time.

**Motion to Amend**

Senator Kraft moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 32, of the printed bill, strike out "of", and insert "in".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1873**—An act to codify Chapter 17 of the Statutes of 1907, relating to hospitals, by adding Division 23.5, comprising Sections 32500 to 32508, inclusive, to the Health and Safety Code, and repealing Chapter 17 of the Statutes of 1907.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1874**—An act to codify Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935, relating to fire protection, by adding Sections 13007, 13008, 13009, 13010, and 13052.5 to the Health and Safety Code, and repealing Chapter 790 of the Statutes of 1931 and Chapter 273 of the Statutes of 1935.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Ward, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1875**—An act to codify Chapter 578 of the Statutes of 1911, relating to cemeteries, by adding Sections 8134 and 8560.5 to the Health and Safety Code, and repealing Chapter 578 of the Statutes of 1911.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse,

Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Ward, and Way—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1892**—An act to codify certain statutes relating to the health and safety of employees, by adding Article 5, comprising Sections 2440 and 2441, to Chapter 1 of Part 9, Division 2 of the Labor Code, and by repealing Chapter 278 of the Statutes of 1913, and Chapter 485 of the Statutes of 1915.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Ward, and Way—26.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1893**—An act to add Section 1018 to the Labor Code, relating to the wearing of labor union buttons, and to repeal an act entitled "An act to prevent persons from unlawfully wearing the button of any labor union of this State," approved March 20, 1909.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Ward, and Way—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.29 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Abshire moved that Senate Bills Nos. 761 and 762 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 838

Senator Hatfield moved that Assembly Bill No. 838 be withdrawn from Committee on Public Utilities and re-referred to Committee on Water Resources.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1844

Senator Miller moved that Senate Bill No. 1844 be withdrawn from Committee on Education for purpose of amendment and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1844**—An act to repeal Sections 8812 and 8815 of, and to add Section 8819.5 to, the Education Code, relating to junior colleges.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, following "of", insert "to amend Section 8811 of,".

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**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out lines 3 through 9, and insert

"SEC. 2. Section 8811 of said code is amended to read:

8811. Junior colleges shall be established and maintained in [high school districts and] junior college districts *and maintained in high school districts* pursuant to this article.

SEC. 3. Section 8819.5 is added to said code, to read:

8819.5. Notwithstanding anything in this code to the contrary, junior colleges maintained on July 1, 1952, by the governing board of a high school district are herewith authorized to be maintained by the governing board of a high school district."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1849**

Senator Miller moved that Senate Bill No. 1849 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1849**—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, between lines 4 and 5, insert "superintendent of schools with the approval of the county".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 73**

Senator Abshire moved that Senate Bill No. 73 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 73**—An act to add Section 39.9 to, to amend Section 407 of, to add Section 424 to, and to amend Section 427 of, the Fish and Game Code, relating to hunting licenses.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to add Sections 39.9 and 424 to the Fish and".

**Amendment No. 2**

On page 1, line 3, of said bill, strike out "(a)".

**Amendment No. 3**

On page 1 of said bill, strike out lines 7 to 27, inclusive, and on page 2, strike out lines 1 to 43, inclusive, and insert:

"SEC. 2. Section 424 is added to said code, to read:

424. No hunting license shall be issued to any person under the age of 18 years unless he presents to the person authorized to issue such license either (a) evidence that he has held a hunting license issued by this State in a prior year or (b) a certificate of competency as provided in this section. The department shall provide for a course of instruction in the safe handling of firearms and for the purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate any person found by it to be competent so to do to give instructions in the handling of firearms to persons under the age of 18 years. A person so appointed shall give such course of instruction and upon the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms. The commission may make such rules and regulations as it deems necessary to carry out the purposes of this section.

SEC. 3. This act shall become effective with the issuance of licenses for the 1954 hunting season."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1881**

Senator Parkman moved that Senate Bill No. 1881 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1881**—An act to amend Section 9530 of, and to add Sections 9541.2 and 9583 to, the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in Senate March 12, 1953, strike out "Sections 9541.2 and 9583", and insert "Section 9541.2".

**Amendment No. 2**

On page 1, line 19, of said bill, as amended, strike out "five", and insert "seven".

**Amendment No. 3**

On page 1, line 20, of said bill, as amended, strike out "five", and insert "seven".

**Amendment No. 4**

On page 1, line 22, of said bill, as amended, strike out "one", and insert "three".

**Amendment No. 5**

On page 1, line 23, of said bill, as amended, strike out "plant", and insert "plants".

**Amendment No. 6**

On page 2, line 14, of said bill, as amended, strike out "cleaning shop or depot," and insert "spotting and pressing shop, depot, hat renovating shop or fur renovating shop,".

**Amendment No. 7**

On page 2 of said bill, as amended, strike out lines 16 to 21, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1591**

Senator Hulse moved that Senate Bill No. 1591 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1591**—An act to amend Section 21933 of the Water Code, relating to irrigation districts.

Bill read second time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "a majority", and insert "two-thirds".

**Amendment No. 2**

On page 1 of said bill, after line 9, insert

"(c) A majority of the votes cast on the proposal are "Yes" when the bonds to be issued are payable both as to principal and interest solely from revenue and not directly or indirectly from assessments and the commission finds that in its judgment the proposed revenues will each year, after deducting a reasonable allowance for the cost of operation and maintenance, if any, which must be paid from the revenues, be at least one and one-tenth times the debt service requirements for that year for principal, interest, sinking funds and reserve funds of all the bonds, including the bonds to be issued, payable from the revenues."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1111**

Senator Ed. C. Johnson moved that Senate Bill No. 1111 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1111**—An act creating the Yuba County Flood Control and Water Conservation District, prescribing for its organization, powers, and duties.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Water Conservation", and insert "Drainage".

**Amendment No. 2**

On page 1, line 2, of said bill, strike out "Water Conservation", and insert "Drainage".

**Amendment No. 3**

On page 1, line 2, of said bill, after "District", insert ", which district shall consist of all the territory of the County of Yuba lying within the exterior boundaries of said county, except the territory within the incorporated limits of the City of Marysville and the City of Wheatland and the area east of the Yuba River known as the Camptonville School District as they exist on the effective date of this act.

SEC. 2. This act shall be known and may be cited as the Yuba County Flood Control and Drainage District Act.

SEC. 3. The board of supervisors of the district created by this act, by resolutions thereof adopted from time to time, may, for the institution of any projects or works of improvement, or for the maintenance, repair or construction of existing works, permitted by this act, establish zones within said district without reference to the boundaries of other zones, stating further in such resolutions descriptions thereof by metes and bounds and entitling each of such zones by a zone number, and institute zone projects for the specific benefits of such zones.

Proceedings for the establishment of a zone may be instituted by the board upon its own initiative, and shall be instituted by the board when a petition requesting the formation of such zone and signed by the requisite number of property owners is filed with the board. The petition may consist of any number of separate instruments, each of which must comply with all the requirements of a petition except as to the number of signatures.

When instituted by the board on its own initiative proceedings for the establishment of such zones may be conducted concurrently with and as a part of proceedings for the instituting of projects relating to such zones, which proceedings shall be instituted in the manner prescribed in Section 16 of this act.

SEC. 4. The objects and purposes of this act are to provide for the control of the flood, storm and drainage waters of the district and the flood, storm and drainage waters of streams that have their sources outside the district, but which streams and flood water flow into the district, and to protect from such flood, storm and drainage waters, the public highways, life and property in the district, and the watercourses and watersheds of streams flowing into the district.

SEC. 5. The district is hereby declared to be a body corporate and politic and as such shall have, in addition to the other powers vested in it by this act, the following powers:

1. To have perpetual succession.
2. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.
3. To adopt a seal and alter it at pleasure.
4. To acquire by grant, purchase, lease, gift, devise, contract, condemnation, construction, or otherwise, and to hold, use, enjoy, sell, let, and dispose of real and personal property of every kind, including lands, structures, buildings, rights of way, easements, and privileges, and to construct, maintain, alter and operate any and all works or improvements, within or without the district, necessary or proper to carry out any of the objects or purposes of this act and convenient to the full exercise of its powers, and to complete, extend, add to, alter, remove, repair or otherwise improve any works, or improvements, or property acquired by it as authorized by this act.
5. To control the flood, storm and drainage waters of said district and the flood, storm and drainage waters of streams that have their source outside of said district, but which streams and the flood waters thereof, flow into said district, and to protect from damage from such flood, storm and drainage waters the watercourses, watersheds, public highways, life and property in said district and the watercourses outside of the district of streams flowing into the district.
6. To cooperate and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation, or with the County of Yuba, in the construction of any work for the controlling of flood, storm, and drainage waters of, or flowing into, said district, or for the protection of life or property therein, or in any other works, acts, or purposes provided for herein, and to adopt and carry out any definite plan or system of work for any such purpose.
7. To carry on technical and other necessary investigations, make measurements, collect data, make analyses, studies, and inspections pertaining to the control of flood, storm and drainage water, and in all cases where land may be required for public use



by said district, the district, or its agents in charge of such use, shall have the right of access to all property in the district and elsewhere relating to watercourses and streams flowing in or into said district and may survey and locate the same; but such must be located in a manner which will be most compatible with the greatest public good and least private injury. The district, or its agents in charge of such public use may enter upon such lands and make examinations, surveys, and maps thereof, and such entry shall constitute no cause of action in favor of the owner of such land, except for injury resulting from negligence, wantonness or malice.

8. To enter upon any land to make surveys and locate the necessary works of improvement and the lines for channels, conduits, canals, pipelines, roadways and other rights of way; to acquire by purchase, lease, contract, condemnation, gift, devise or other legal means all lands and waters and water rights and other property necessary or convenient for the construction, use, supply, maintenance, repair and improvement of said works including works constructed and being constructed by private owners and all necessary appurtenances; to enter into and to do any acts necessary or proper for the performance of any agreement with the United States, or any state, county, district of any kind, public or private corporation, association, firm or individual or any number of them for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any rights, works or other property of a kind that might be lawfully acquired or owned by said Yuba County Flood Control and Drainage District; to acquire the right to store water in any reservoir or to carry water through any canal, ditch or conduit not owned or controlled by the district; to cooperate with and to act in conjunction with the State of California or any of its engineers, officers, boards, commissions, departments or agencies or with the Government of the United States or any of its engineers, officers, boards, commissions, departments, bureaus or agencies or with any public or private corporation in the construction of any work for controlling flood, storm and drainage waters of streams running into said district or for the protection of life or property therein; or in any other works, acts, or purposes provided for herein and to adopt and carry out any definite plan or system of work for any such purpose.

9. To incur indebtedness and to issue bonds in the manner herein provided.

10. To cause assessments to be levied and collected for the purpose of paying any obligation of the district, and to carry out any of the purposes of this act, in the manner hereinafter provided.

11. To receive contributions and financial aid from the County of Yuba to carry out any of the purposes of this act.

12. To make contracts, and to employ labor, and to do all acts necessary for the full exercise of all powers vested in said district or any of the officers thereof, by this act.

SEC. 6. The district shall have and may exercise the right of eminent domain, either within or without said district, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to any public use by any district or other public corporation, or agency, or otherwise; provided, however, that the district in exercising such power shall in addition to the damage for the taking, injury, or destruction of property, also pay the cost of removal or relocation of any structure, railways, mains, pipes, conduits, wires, cable, poles, of any public utility which is required to be moved to a new location; and provided further, that notwithstanding any other provision of this act or any other law, no property shall be taken unless it is taken upon a finding by a court of competent jurisdiction that the taking is for a more necessary public use than that to which it has already been appropriated. The district shall also have and may exercise the right to condemn any existing works or improvements in said district or along streams flowing into said district now or hereafter used to control flood, storm and drainage waters, or to protect any property in said district or along streams flowing into said district from damage from such flood, storm and drainage waters, and it is hereby declared that the use of the property, lands, rights of way, easements, or materials which may be condemned, taken or appropriated under the provisions of this act is a public use subject to the regulation and control of the State in the manner prescribed by law; provided, however, that nothing in this act contained shall be deemed to authorize said district, or any person or persons to divert the waters of any river, creek, stream, irrigation system, canal or ditch, from its channel, to the detriment of any person, or persons having any interest in such river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein, unless compensation therefor be first provided in the manner provided by law.

The power of eminent domain vested in the district shall include the power to condemn in the name of the district either the fee simple or any lesser estate, easement, or interest in any real property which the board of supervisors of the district by resolution shall determine is necessary for carrying out the purposes of this act. Such resolution shall be prima facie evidence that the taking of such fee simple or any lesser estate or easement, or interest as the case may be, is necessary.

Whenever real property which is devoted to or held for some other public or quasi-public use is required by the district for flood, storm and drainage water control purposes, the district may condemn real property adjacent thereto or in the immediate vicinity thereof to be exchanged for the real property required by the district as afore-said for flood control purposes.

SEC. 7. The Board of Supervisors of Yuba County shall be and is hereby designated as, and empowered to act as ex officio the Board of Supervisors of the Yuba County Flood Control and Drainage District. As used elsewhere in this act the terms "board" and "board of supervisors" means the Board of Supervisors of the Yuba County Flood Control and Drainage District.

All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Yuba.

SEC. 8. The district attorney, county surveyor, county assessor, county tax collector, county auditor and county treasurer of the County of Yuba, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said Yuba County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Yuba County Flood Control and Drainage District, and shall respectively perform, unless otherwise provided by the board, the same various duties for said district as for said Yuba County, in order to carry out the provisions of this act; provided, however, that where the county surveyor is a registered civil engineer and is employed by the board of supervisors to supervise the engineering work of said district, the board may provide for compensation for his services hereunder payable from the funds of the district, in addition to his salary as county surveyor of Yuba County.

SEC. 9. The board shall have power to make and enforce all needful rules and regulations for the administration and government of the district, and to appoint and employ all needful agents, superintendents, engineers, attorneys, and employees to properly look after the performance of any work provided for in this act and to operate and maintain said works, and to perform all other acts necessary or proper to accomplish the purposes of this act.

In addition to the officers and employees herein otherwise prescribed, the board may in its discretion appoint a chairman, a secretary and such other officers, agents and employees for the board or district as in its judgment may be deemed necessary, prescribe their duties and fix their compensation, which said officers, agents and employees so appointed shall hold their respective offices or positions during the pleasure of the board.

SEC. 10. The board shall have jurisdiction and power by resolution to employ competent registered civil engineers to investigate and carefully devise a plan or plans to control the flood, storm and drainage waters of the district, and the zones thereof, and the flood, storm and drainage waters of streams that have their sources outside of said district but which streams and the flood waters thereof flow into said district, and to protect the public highways, life and property within the district, and the watercourses and watersheds of streams flowing into the district, from damage relating to such waters; and to obtain such other information in regard thereto as may be deemed necessary or useful for carrying out the purposes of this act; and such resolution may direct such engineer or engineers to make and file reports from time to time with the board, which shall show:

1. A general description of the work proposed to be done, together with general plans, profiles, cross sections, and general specifications relating thereto, on each project or work of improvement.

2. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work.

3. A map or maps which shall show the location and zones, as may be required, of each of said projects or improvements, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said work, and any other information in regard to the same that may be deemed necessary or useful.

4. An estimate of the cost of each project or work of improvement, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said project or work of improvement, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds, if any, necessary to be issued to pay for the same.

Such engineer or engineers shall from time to time and as directed by the board file with the board supplementary, amendatory and additional reports and recommendations, as necessity and convenience may require.

Such engineer or engineers, employed by the board, shall have power and authority, subject to the control and direction of said board, to employ such engineers, surveyors, and others, as may be required for making all surveys or doing any other work necessary for the making of such report.

The board may at any time remove any or all of the engineers or employees appointed or employed under this act, and may fill any vacancies occurring among them from any cause.

SEC. 11. A petition requesting the formation of a zone and the institution of a project or work of improvement permitted by this act shall:

- (a) Request the board to institute proceedings to establish a zone pursuant to this act;

(b) Describe the boundaries of the territory which is proposed for inclusion within the zone;

(c) State the project or work of improvement to be provided within the zone;

(d) Be signed by not less than either:

(1) The owners of a majority in assessed value of property within the proposed zone as shown on the last assessment roll of Yuba County; or

(2) A majority of the registered voters residing within the proposed zone.

SEC. 12. Before a petition is circulated, the proposed boundaries of the zone shall be submitted to the County Boundary Commission for recommendation and report in the manner provided for in Chapter 3, Title 6 of the Government Code.

SEC. 13. Prior to the hearing on the proposal by petition to establish a zone, the board shall, by resolution, direct the officer or employee of the district charged with the duty of supervising the engineering affairs of the district to make and to file a report with the board which shall show:

1. A general description of the project or work of improvement to be done; and

2. A general description of the lands, rights of way, easements, and property to be taken, acquired, or injured in carrying out such work; and

3. An estimate of the cost of such work including an estimate of the cost of lands, rights of way, easements, and property proposed to be taken, acquired, or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance and other costs likely to be incurred in connection therewith.

The report shall be considered by the board, which may, by resolution, either adopt the report as filed or refer it back to the officer or employee charged with the duty of supervising engineering affairs of the district for modification or change. When a report satisfactory to the board has been filed with the board, the board by resolution shall adopt the report and shall estimate the amounts of all capital expenditures and of all operating, maintenance and other acts necessary in connection with the institution of the proposed project or work of improvement with the said zone.

SEC. 14. Within 30 days after the receipt of the engineer's report on the proposal by petition for the establishment of a zone, which report has been approved by the board, the board shall adopt a resolution of intention to establish a zone in the form and in the manner specified in Section 16 of this act.

SEC. 15. The board shall determine as to each project or work of improvement, either proposed by petition or instituted by the board itself, that it is either:

1. Either in whole or in part for the district as a whole, and if in part only, what part; or

2. Either in whole or in part for the common benefit of two or more zones, hereinafter referred to as participating zones, and if in part only, what part; or

3. Either in whole or in part for the benefit of a single zone, and if in part only, what part.

SEC. 16. The board may institute projects for single zones and joint projects for two or more zones, for the financing, constructing, maintaining, operating, extending, repairing or otherwise improving any work or improvement of common benefit to such zone or participating zones. For the purpose of acquiring authority to proceed with the establishment of a zone, or any such project, either by the board on its own initiative or as requested by petition, the board shall adopt a resolution specifying its intention to undertake such project, together with the engineering estimates of the cost of same to be borne by the particular zones or participating zones and fixing a time and place for public hearing of said resolution and which shall refer to a map or maps showing the general location and general construction of said project. Notice of such hearing shall be given by publication one week for two consecutive weeks prior to said hearing, the last publication of which notice must be at least seven (7) days before said hearing, in a newspaper of general circulation designated by the board, circulated in such zone or each of said participating zones, if there be such newspaper, and if there be no such newspaper then by posting notice for two consecutive weeks prior to said hearing in five public places designated by the board, in such zone or in each of said participating zones. Said notice must designate a public place in such zone or in each of said participating zones where a copy or copies of the map or maps of said joint project may be seen by any interested person; said map must be posted in each of said public places so designated in said notice at least two weeks prior to said hearing.

At the time and place fixed for the hearing, or at any time to which said hearing may be continued, the board shall consider all written and oral objections to the proposed project. Upon the conclusion of the hearing the board may abandon the proposed project or proceed with the same, unless prior to the conclusion of said hearing written protests against the proposed project signed by the owners of at least 50 percent of the assessed value of property within such zone or participating zones be filed with the board, in which event further proceedings relating to such project must be suspended for not less than six months following the date of the conclusion of said hearing, or said proceeding may be abandoned in the discretion of the board. Protests may be withdrawn before the conclusion of the hearing.

SEC. 17. Whenever the board institutes a project for a single zone or a joint project for two or more zones, it shall appoint, for each zone, at the time of the adoption of its resolution of intent, an advisory committee of three persons who are property owners



residing in the zone for which they are appointed, to represent before the board the residents and property owners of that zone. Each person so appointed shall be permitted to attend every meeting of the board in which any matter affecting his zone is discussed or considered. The board shall not discuss or consider any matter which affects any zone unless each member of the advisory committee for the zone has been notified in writing as to the time and place of the meeting at least five days before the meeting. Vacancies in the advisory committees shall be filled by appointment by the board.

**SEC. 18. The board shall have power, in any year :**

1. To levy ad valorem taxes upon all property in the district to pay the general administrative costs and expenses of the district, and to carry out any of the objects or purposes of this act of common benefit to the district ; provided, however, that said ad valorem tax shall not exceed three cents (\$0.03) on each one hundred dollars (\$100) of assessed valuation ; and

2. To levy taxes upon all property in each or any of said zones and participating zones to pay the cost and expenses of carrying out, constructing, maintaining, operating, extending, repairing or otherwise improving any or all works or improvements established or to be established within or on behalf of said respective zones, according to the benefits derived or to be derived by said respective zones ; and

3. To levy taxes upon all property in each or any of said zones, according to the special benefits derived or to be derived therein to pay the cost and expenses of carrying out any of the objects or purposes of this act of special benefit to such zones, including the constructing, maintaining, operating, extending, repairing, or otherwise improving any or all works of improvement established or to be established within or on behalf of said respective zones.

In the event of project cooperation with any of the governmental bodies as authorized in subdivision 6 of Section 5 of this act, and the making of a contract with any such governmental body for the purposes set forth in said subdivision 6, by the terms of which work is agreed to be performed by any such governmental body in any specified zone or participating zones, for the particular benefit thereof, and by said contract it is agreed that the district is to pay to such governmental body, a sum of money in consideration or subvention for the performance of said work by such governmental body, the board may levy and collect a special tax upon the property in such zone or participating zones, whereby to raise funds to enable the district to make such payment, in addition to other taxes herein otherwise provided for.

Said taxes shall be levied and collected together with, and not separately from taxes for county purposes, and the revenues derived from said district taxes shall be paid into the county treasury to the credit of said district, or the respective zones thereof, and the board shall have the power to control and order the expenditure thereof for said purposes ; provided, however, that no revenues, or portions thereof, derived in any of the several zones from the taxes levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone, except in the case of joint projects, or for projects authorized or established outside such zone, or zones, but for the benefit thereof. In cases of projects joint to two or more zones, such zones will become, and shall be referred to as, participating zones.

**SEC. 19. (1)** Whenever the board determines that a bonded indebtedness should be incurred to pay the cost of any work or improvement in any zone or zones, the board may by resolution, determine and declare the respective amounts of bonds in order to raise the amount of money necessary for each work or improvement and the denomination and rate of interest of said bonds. The board shall cause a copy of the resolution, duly certified by the clerk, to be filed for record in the office of the recorder of Yuba County within five (5) days after its issuance. From and after said filing of said copy of said resolution the board shall be deemed vested with the authority to proceed with the bond election.

(2) After the filing for record of the resolution specified in subdivision (1) of this section, the board may call a special bond election in said zone or participating zones at which shall be submitted to the owners of property within said zone or participating zones the question whether or not bonds shall be issued in the amount or amounts determined in said resolution and for the purpose or purposes therein stated. Said bonds and the interest thereon shall be paid from revenue derived from annual taxes levied upon the property situated within the zone or participating zones, and all such property shall be and remain liable to be taxed for such payments as provided in this act.

(3) Said board shall call such special bond election by ordinance and not otherwise and submit to the owners of property within said zone or participating zones, the proposition of incurring a bonded debt in said zone or participating zones in the amount and for the purposes stated in said resolution and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred ; provided, that it shall be sufficient to give a brief, general description of such objects and purposes, and refer to the recorded copy of such resolution adopted by said board, and on file for particulars ; and said ordinances shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and what part or installment of such indebtedness shall be paid each and



every year, and which shall not in any one year be less than one-fortieth ( $\frac{1}{40}$ ) of the whole amount of the principal and interest of such indebtedness, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, and the form and contents of the ballot to be used. The rate of interest to be paid on such indebtedness shall not exceed five percent (5%) per annum. For the purposes of said election, said board shall in said ordinance establish special bond election precincts within the boundaries of each zone and participating zone and may form election precincts by consolidating the precincts established for general elections in said district to a number not exceeding six general precincts for each such special bond election precinct, and shall designate a polling place and appoint one inspector, one judge and one clerk for each of such special bond election precincts.

In all particulars not recited in said ordinance, such special bond election shall be held as nearly as practicable in conformity with the general election laws of the State.

Said board shall cause a map or maps to be prepared covering a general description of the work to be done, which said map shall show the location of the proposed works and improvements and shall cause the said map to be posted in a prominent place in the county courthouse for public inspection for at least thirty (30) days before the date fixed for such election.

Said ordinance calling for such special bond election shall, prior to the date set for such election, be published in a newspaper of general circulation circulated in each zone and participating zone affected for six consecutive times if published in a daily newspaper of general circulation, or two times if published in a weekly newspaper of general circulation. The last publication of such ordinance must be at least fourteen (14) days before said election, and if there be no such newspaper, then such ordinance shall be posted in five public places designated by the board, in each zone and participating zone for at least thirty (30) days before the date fixed for such election. No other notice of such election need be given nor need polling place cards be issued.

Each owner of property within the district may vote at any election in person or by proxy and may cast one vote for each one hundred dollars (\$100) worth of property owned by him in the district, as determined from the last preceding tax roll of Yuba County.

Any defect or irregularity in the proceedings prior to the calling of such special bond election shall not affect the validity of the bonds authorized by said election. If at such election two-thirds ( $\frac{2}{3}$ ) of the votes cast are in favor of incurring such bonded indebtedness, then bonds for such zone or participating zones for the amount stated in such proceedings shall be issued and sold as in this act provided.

SEC. 20. The board shall, subject to the provisions of this act, prescribe by resolution the form of said bonds, which must include a designation of the zone or participating zones affected, and of the interest coupons attached thereto. Said bonds shall be payable annually or semiannually at the discretion of the board each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The bonds shall be issued in such denominations as the board may determine, except that no bonds shall be of a less denomination than one hundred dollars (\$100), nor of a greater denomination than one thousand dollars (\$1,000), and shall be payable on the days and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of five per centum (5%) per annum, and shall be made payable annually or semiannually, and said bonds shall be numbered consecutively and shall be signed by the chairman of the board, and countersigned by the auditor of said district either or both of which signatures may be engraved or lithographed, and the seal of said district shall be affixed thereto by the clerk of the board. The interest coupons of said bonds shall be numbered consecutively and signed by the said auditor by his engraved or lithographed signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such bonds and coupons, and signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC. 21. The board may issue and sell the bonds of such zones authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the County of Yuba to the credit of said district and the respective participating zones thereof, for the uses and purposes of the zone, or zones voting said bonds; and the proper record of such transactions shall be placed upon the books of said county treasurer, and said respective zone funds shall be applied exclusively to the purposes and objects mentioned in the ordinance calling such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said zone funds shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the County of Yuba.

SEC. 22. Any bonds issued under the provisions of this act shall be a lien upon all property of the zone or zones of issuance, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest thereon shall be paid by revenue derived from an annual tax upon all property within said zone or participating zones and all property in said zone or participating zones shall be and

remain liable to be taxed for such payments as hereinafter provided. No zone nor the property therein shall be liable for the share of bonded indebtedness of any other zone, nor shall any moneys derived from taxation in any of the several zones be used in payment of principal or interest or otherwise of the share of bonded indebtedness chargeable to any other zone.

Said bonds may be deposited and registered with the treasurer of the county, and it shall be an official duty of said treasurer to receive and register said bonds in the name of the holder and to keep a sufficient book of registry thereof setting forth a description of the bonds and the names and addresses of the respective holders, and to give each holder of such bonds so registered a receipt therefor; provided that said receipts shall be personal to the respective holders and not transferable. Such bonds shall be returned to such holders thereof or in case of death to the duly appointed personal representative of the holder's estate, upon the giving of receipt therefor, with or without return of the receipt given by the treasurer at the time of such deposit and registry. And the treasurer, at the request of such holder, or such personal representative, may detach and deliver to such holder or personal representative, mature coupons from time to time, first taking receipts therefor.

SEC. 23. The board shall levy a tax each year upon all property in the zone or zones of issuance sufficient to pay the interest and such portion of the principal of said bonds as is due or to become due before the time for making the next general tax levy. Such taxes shall be levied and collected in the respective zones of issuance together with and not separately from taxes for county purposes, and when collected shall be paid into the county treasury of said Yuba County to the credit of the zone of payment, and be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer of said Yuba County in the manner provided by law for the payment of principal and interest on bonds of said county.

SEC. 24. The provisions of law of this State, prescribing the time and manner of levying, assessing, equalizing and collecting county property taxes, including the sale of property for delinquency, and the redemption from such sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof.

SEC. 25. Notwithstanding Section 54903 of the Government Code, the Yuba County Flood Control and Drainage District is validly created for the purposes of assessment and taxation. The creation of any zone in the Yuba County Flood Control and Drainage District shall not be effective for purposes of assessment or taxation for the Fiscal Year 1952-1953 and shall not be effective for such purposes for any fiscal year thereafter unless the statement and map or plat required by Section 54903 of the Government Code are filed with the county assessor and the State Board of Equalization on or before the first of February of the year in which the taxes are to be levied. Until such time as the creation of any zone shall be effective for purposes of taxation, any tax levied by the board shall be levied at a uniform rate on all property in the Yuba County Flood Control and Drainage District.

For the Fiscal Year 1952-1953, but for no other fiscal year, notwithstanding Section 24 of this act, the assessment and equalization of property for the purpose of district taxation shall be effected as provided in this section.

Assessments of the district for the Fiscal Year 1952-1953 are liens on the property the same as if they were county taxes, except that the district assessment liens attach as of noon on the day after this act becomes effective.

It is presumed that the assessments of property made by the county assessor and by the State Board of Equalization for county taxation purposes for the Fiscal Year 1952-1953 are the correct assessments for purposes of assessment by the district and the rolls prepared by the county assessor and the State Board of Equalization shall be used for purposes of levying and collecting the taxes for the district. If the ownership or taxable situs or value of any property changes between noon on the first Monday in March, 1954, and the date on which attaches the lien for assessments of the district for the Fiscal Year 1952-1953, then, on petition of the taxpayer affected to the assessing authority, suitable entry shall be made on the assessment roll, in the manner prescribed by the State Board of Equalization, to indicate such change in the ownership or taxability or value of the property for purposes of assessment by the district.

In equalizing the assessments made by the county assessor, the Board of Supervisors of Yuba County, sitting as the county board of equalization, in addition to its regular equalization duties, shall also, in the same manner and under the same rules, equalize the valuation of property for purposes of assessment by the district in accordance with the requirements of this section and any such changes made by the county board of equalization in the assessment roll shall be entered in the manner prescribed by the State Board of Equalization.

If, for purposes of assessments by the district, a change in the assessment for county taxation purposes is not sought under this section before the end of the period during which such assessment may be equalized, or corrected on a petition for reassessment, such assessment, if valid for county taxation purposes, is conclusively presumed to be the correct assessment for assessment purposes of the district.

The board may prescribe by ordinance any necessary procedure, in accordance with the policy of this act, for the purpose of assessing, equalizing, levying, and collecting

taxes for the district for the Fiscal Year 1953-1954. Except as provided in this section, Section 24 of this act is applicable to the assessment and equalization of property for the purpose of district assessments for the Fiscal Year 1953-1954.

SEC. 26. The bonds of the district issued for any zone or zones thereof pursuant to this act, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this act, and whenever bonds of cities, cities and counties, counties, school districts or municipalities, may by any law now or hereafter enacted be used as security for the performance of any act, such bonds of said district may be so used.

This section of this act is intended to be and shall be considered the latest enactment with respect to the matters herein contained, and any and all acts or parts of acts in conflict with the provisions hereof are hereby repealed.

SEC. 27. All bonds issued by said district under the provisions of this act shall be free and exempt from all taxation within the State of California. It is hereby declared that the district organized by this act is a reclamation district and an irrigation district within the meaning of Section 1 $\frac{1}{2}$  of Article XIII and Section 13 of Article XI of the Constitution of this State.

SEC. 28. All contracts for any improvement or unit of work when the cost thereof according to the estimate of the engineer, will exceed two thousand dollars (\$2,000), shall be let to the lowest responsible bidder or bidders in the matter hereinafter provided. The board shall first determine whether such contract shall be let as a single unit for the whole of the work, or shall be divided into severable convenient parts, or both, according to the best interests of the district. The board shall make call for bids and advertise such call by three (3) insertions in a daily newspaper of general circulation or by two (2) insertions in a weekly newspaper of general circulation printed and published in said district inviting proposals for the construction or performance of the improvement or work before any contract is made therefor. Such call for bids shall state whether such work is to be performed as a unit for the whole thereof or shall be divided into severable convenient specific parts, or both, as stated in the call. The board may let such work by single contract for the whole thereof as a unit or it may divide such work into severable convenient parts by separate contracts, as stated in such call, according to the best interests of the district. The board shall require the successful bidder or bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 3 of Division 5 of Title 1 of the Government Code and to be subject to the provisions of that chapter. The board shall also have the right to reject any and all bids. In the event all proposals are rejected or no proposals are received pursuant to advertisement therefor, or the estimated cost of such work does not exceed the sum of two thousand dollars (\$2,000), or the work consists of channel protection, or maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board of supervisors may without advertising for bids therefor have said work done by force account. The district shall have the power to purchase in the open market without advertising for bids therefor, materials and supplies for use in any work therewith either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvements, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars (\$2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

SEC. 29. Any improvement for which bonds are voted under the provisions of this act, shall be made in conformity with the report, plans, specifications and map therefore adopted, as above specified, unless the doing of any of such work, described in said report, shall be prohibited by law, or be rendered contrary to the best interests of the district by some change of conditions in relation thereto, in which event the board of supervisors may order necessary changes made in such proposed work or improvements and may cause any plans and specifications to be made and adopted therefor.

SEC. 30. Whenever bonds have been authorized by any zone or participating zone of said district and the proceeds of the sale thereof have been expended as in this act authorized, and the board shall by resolution determine that additional bonds should be issued for carrying out the work of flood control, or for any of the purposes of this act, the board may again proceed as in this act provided, and submit to the qualified voters of said zone or participating zone, the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds, and for the expenditure of the proceeds thereof, shall be deemed to apply to such issue of additional bonds.

SEC. 31. Should a proposition for issuing bonds for any zone or participating zones submitted at any election under this act fail to receive the requisite number of votes at such election to incur the indebtedness for the purpose specified, the board shall not



for six months after such election call or order another election in such zone or participating zone for incurring indebtedness and issuing bonds under the terms of this act for the same objects and purposes.

SEC. 32. The repeal or amendment of this act shall not in any way affect or release any of the property in said district or any zone thereof from the obligations of any outstanding bonds or indebtedness until all such bonds and outstanding indebtedness have been fully paid and discharged.

SEC. 33. There is hereby granted to Yuba County Flood Control and Drainage District the right of way for the location, construction and maintenance of flood control channels, ditches, waterways, conduits, canals, storm dikes, embankments, and protective works in, over and across public lands of the State of California, not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of such works and adjuncts or for the protection thereof. Whenever any selection of a right of way for such works or adjuncts thereto is made by the district the board thereof must transmit to the State Lands Commission, the Controller of the State and the recorder of the county in which the selected lands are situated, a plat of the lands so selected, giving the extent thereof and the uses for which the same is claimed or desired, duly verified to be correct. If the State Lands Commission shall approve the selections so made it shall endorse its approval upon the plat and issue to the district a permit to use such right of way and lands.

SEC. 34. (a) If by any judgment in condemnation or agreement the district shall be required to relocate any street, road, highway, railroad, canal or other property subject or devoted to public use, the board shall have power to acquire in the name of the district, by agreement or condemnation, all rights of way and other property necessary or proper for compliance with said agreement or said judgment of condemnation and thereafter to make such conveyance of such relocated street, road, highway, railroad, canal, or other property as may be proper to comply with said agreement or judgment. It shall be provided in all agreements for exchange of property and judgments requiring relocation of other public uses as specified in this section and in Section 6 of this act, that in making such exchanges it shall be specifically provided that such property so condemned and exchanged be limited to public use by the party with whom such exchange is made.

(b) In the event the district and any common carrier railroad or other public utility fail to agree as to the character or location of new improvements or works sought to be performed by the district, the character and location of such new improvements or works and any other controversy relating thereto shall be submitted to and determined by the Public Utilities Commission; and jurisdiction of such controversies is hereby vested in said commission.

(c) Proceedings under this section relating to the jurisdiction of said commission may be instituted, maintained and determined in the mode prescribed in Sections 1206 to 1217 inclusive of the Public Utilities Code.

SEC. 35. Claims against the district whether arising out of contract, tort, or the taking or damaging of property without compensation must be made in writing and filed with the board within six months after the cause of action arises. Claims shall be presented in the general form and manner prescribed by general law relating to the making and filing of claims against counties. Such claims may be amended within said six months to correct defects in form or statement of facts. No action against the district shall be commenced or maintained unless such claim relating thereto has been filed as hereinabove prescribed and action thereon commenced within one year after the cause of action arose.

SEC. 36. The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in said district, and shall be held by said district, in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. The board is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property, as herein provided; and said board may determine, by resolution duly entered in their minutes that any property, real or personal, held by said district is no longer necessary to be retained for the uses and purposes thereof, and may thereafter sell, lease or otherwise dispose of said property in the manner prescribed by law for such action by counties.

SEC. 37. The district formed under this act in order to determine the legality of its existence, may institute a proceeding therefor in the superior court of this State, in and for the County of Yuba, by filing with the clerk of said county a complaint setting forth the name of the district, its exterior boundaries, the date of its organization and a prayer that it be adjudged a legal flood control and drainage district formed under the provisions of this act. The summons in such proceeding shall be served by publishing a copy thereof once a week for four weeks in a newspaper of general circulation published in said county. The State of California shall be a defendant in such action, and consent therefor is given. Service of summons therein shall be made on the Attorney General. The Attorney General shall appear in such action on behalf of the State in the same manner as with appearances in civil actions. Within thirty (30) days after proof of publication of said summons shall have been filed in said proceeding, the State, any property owner or resident in said district, or any person interested may appear as a defendant in said action by serving and filing an answer to said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of



the district and shall be served upon the district attorney before being filed in such proceeding. Such proceeding is hereby declared to be a proceeding in rem and the final judgment rendered therein shall be conclusive against all persons whomsoever, including the district and the State of California.

SEC. 38. Employees appointed by the board under this act when required by resolution thereof of the board of supervisors of the district, shall execute bonds conditioned, executed, approved, filed, and recorded in the general manner and form provided by law for officers, other than supervisors, of said county, before entering upon the duties of their respective employments.

SEC. 39. This act, and every part thereof, shall be liberally construed to promote the objects thereof, and to carry out its intents and purposes.

SEC. 40. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1177

Senator Ed. C. Johnson moved that Senate Bill No. 1177 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1177**—An act to amend Section 8361 of the Water Code, relating to flood control.

Bill read second time.

##### Motion to Amend

Senator Ed. C. Johnson moved the adoption of the following amendment:

##### Amendment No. 1

On page 2 of the printed bill, strike out lines 19 to 21, inclusive, and insert "(n) The flowage area of Western Pacific Intercepting Canal extending northerly for a distance of five miles from Bear River."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 743

Senator Gibson moved that Senate Bill No. 743 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 743**—An act to amend Sections 1, 2, 4.3, 5, 5.1, 5.2, and 6.4 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656 of the Statutes of 1951), relating to the Solano County Flood Control and Water Conservation District.

Bill read second time.

##### Motion to Amend

Senator Gibson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill as amended in Senate March 2, 1953, strike out "and".

**Amendment No. 2**

In line 2 of the title of said bill, as amended, strike out "of", and insert ", 9.1 and 10.1 of, and to add Section 5.9 to,".

**Amendment No. 3**

On page 1 of said bill, as amended, before line 1, insert "SECTION 1."

**Amendment No. 4**

On page 2, line 13, of said bill, as amended, after "State", insert "empowered by law to appropriate water and to deliver to water users".

**Amendment No. 5**

On page 2, lines 16 and 17, of said bill, as amended, strike out ", which is empowered by law to appropriate water and to deliver to water users, and".

**Amendment No. 6**

On page 2, line 47, of said bill, as amended, strike out "the University of California", and insert "any agency of the State of California or of the United States of America".

**Amendment No. 7**

On page 2, lines 51 and 52, of said bill, as amended, strike out "the University of California for the benefit of its Davis Campus", and insert "for the benefit of any agency of the State of California or of the United States of America".

**Amendment No. 8**

On page 3, lines 44 and 45, of said bill, as amended, strike out "The University of California for the benefit of its Davis Campus", and insert "agencies of the State of California and of the United States of America".

**Amendment No. 9**

On page 3, line 46, of said bill, as amended, strike out "and the University of California", and insert "such agencies of the State of California and the United States of America".

**Amendment No. 10**

On page 3 of said bill, as amended, after line 50, insert

"SEC. 7. Section 5.9 is hereby added to said act to read:

Sec. 5.9. Anything in this act to the contrary notwithstanding, the district shall have the power to contract, and to perform its contracts, with agencies of the State of California and of the United States of America in all respects as the district has the power to contract and perform its contracts with its member units, except that any such contract with agencies of the State of California and of the United States of America shall provide that any payments to be made to the district shall be in advance of any service, delivery, construction or use to be provided by the district under such contract."

**Amendment No. 11**

On page 4, line 1, of said bill, as amended, strike out "7", and insert "8".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 12**

On page 4 of said bill, as amended, after line 14, insert

"SEC. 9. Section 9.1 of said act is amended to read:

Sec. 9.1. The aggregate of district indebtedness incurred pursuant to the provisions of this act authorizing the issuance of bonds, the levying of special assessments to meet *any bonded indebtedness or contractual liability exclusive of taxes or assessments levied pursuant to Section 10.1 hereof* and the execution of contracts, shall not exceed a sum equal to: (1) That amount which can be repaid and liquidated as to both principal and interest in not to exceed forty (40) years by an annual tax at the rate of fifteen cents (\$0.15) on each one hundred dollars (\$100) of the assessed valuation of all property in the district taxable for district purposes, measured by the assessment roll last equalized prior to the incurring of such indebtedness; plus (2) the amount of all capital obligations underwritten by member units of the district; plus (3) the amounts agreed to be paid by member units to the district or to the United States for water or a water supply.

SEC. 10. Section 10.1 of said act is amended to read:

Sec. 10.1. If from any cause, the revenues of the district shall be, or in the judgment of the board of directors are likely to be, inadequate to pay the expenses, costs, liabilities and indebtedness of the district, the board of directors of the district shall have the power in any year to levy an ad valorem tax upon all taxable property in the district to pay the costs and expenses of said district and to carry out any of the objects, purposes or powers of this act; provided, however, that the aggregate taxes [or assessments] levied under this [act] *section* for any fiscal year shall not exceed fifteen cents (\$0.15) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in the district exclusive of any tax levied to meet the bonded indebtedness of the district and the interest thereon duly authorized by a vote of the electors of the district, and exclusive of any special assessment levied to meet any indebtedness or contractual liability duly authorized by a vote [of the electors of the district] *in any manner set forth in Section 6.1 hereof*, and exclusive of any tax levied for the payment of any portion of any indebtedness represented by capital obligations underwritten by member units or represented by the amounts agreed to be paid by member units for any water or water supply to be furnished or sold such member units.

Said taxes shall be levied and collected together with, and not separately from, taxes for county purposes, and the revenue derived from said taxes shall be paid into the county treasury to the credit of the district, and the board of directors shall have the power to control and order the expenditure thereof for said purposes."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1061

Senator Regan moved that Senate Bill No. 1061 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1061**—An act to provide for the raising of increased revenues for highway purposes and for the expenditure thereof and in connection therewith to amend Sections 7351 and 8651 of the Revenue and Taxation Code, Sections 370, 372 and 381 of the Vehicle Code, and Sections 186, 188, 188.4, 825, 30218, and 30306 of the Streets and Highways Code, to add Section 186.5 to, and to repeal Sections 187 and 189 of, the Streets and Highways Code.

Bill read second time.

#### Motion to Amend

Senator Regan moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide for the raising of increased revenues for high-", and strike out lines 2 to 8, inclusive, of the title, and insert "add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System."

#### Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 2 is added to Chapter 2 of Division 1 of the Streets and Highways Code, to read:

#### Article 2. Mainline Highway System

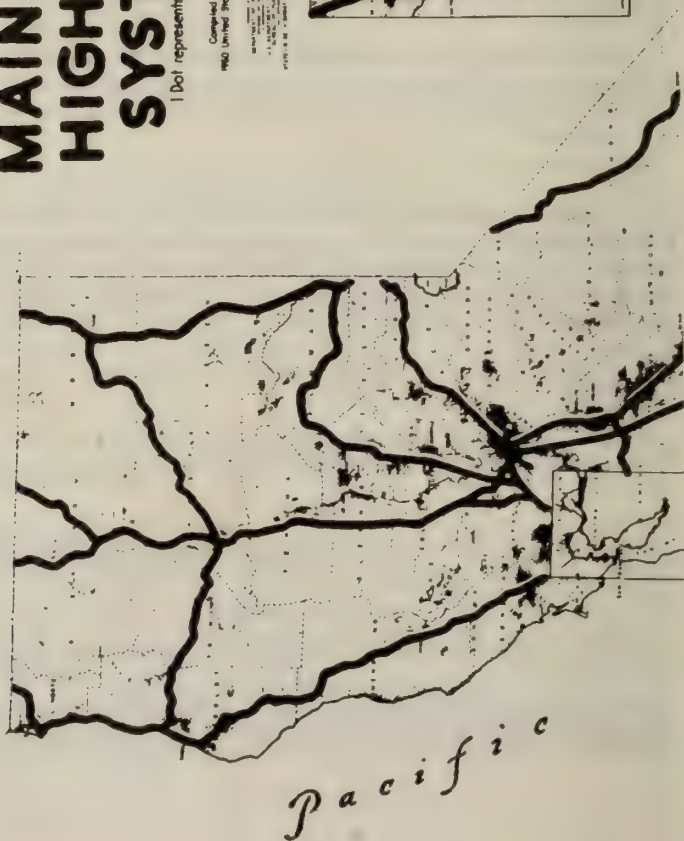
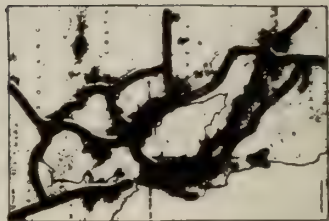
250. The Mainline Highway System consists of the state highway routes, or portions thereof, depicted by the heavy black lines as shown on the following map of the State, with an enlargement of the San Francisco and Los Angeles metropolitan areas, to wit:

# MAINLINE HIGHWAY SYSTEM

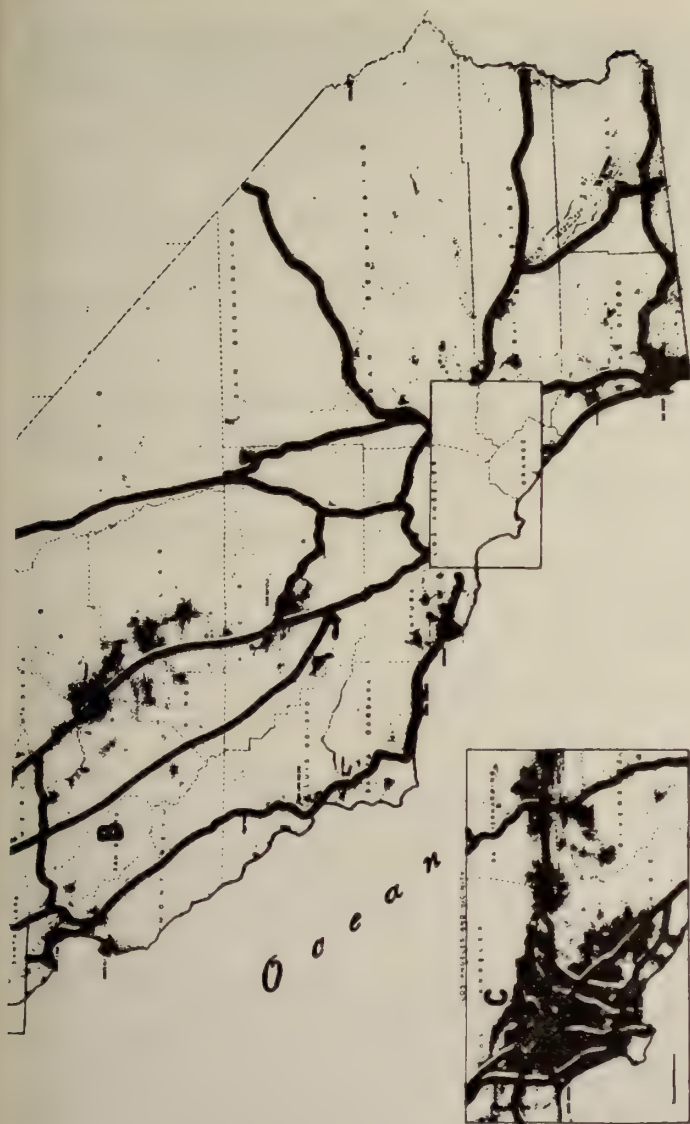
1 Dot represents 100 People

Compiled from  
1940 United States Census

Source: U. S. Census Bureau  
U. S. Department of Commerce  
U. S. Bureau of Economic Warfare  
U. S. Bureau of Census  
U. S. Bureau of Economic Warfare  
U. S. Bureau of Census







SEC. 2. This act shall not become effective unless other legislation is enacted at the 1953 Regular Session of the Legislature to provide for additional money for the Mainline Highway System described herein. It is hereby declared that until such additional money is provided it is not the intention of the Legislature to provide for additional expenditures on the highways included in such system out of existing highway funds."

#### Amendment No. 3

On page 1 of said bill, strike out lines 2 to 19, inclusive, and strike out pages 2 to 8, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### MOTION TO PRINT WITH RUSH ORDER

Senator Regan moved that Senate Bill No. 1061 be sent to print with a rush order.

Motion carried.

#### MOTION TO PRINT LETTER FROM GOVERNOR'S OFFICE

Senator Breed asked for, and was granted, unanimous consent to have the following letter from the Governor's Office regarding a salt water barrier on San Francisco Bay, printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 12, 1953

*Hon. Marvin Sherwin, Chairman  
Assembly Ways and Means Committee  
State Capitol Building  
Sacramento 14, California*

DEAR MR. SHERWIN: This will acknowledge your letter of March 5, 1953, reading as follows:

"In your message to the Legislature on January 5, 1953, you proposed a study concerning a salt water barrier on San Francisco Bay. Would you please enlarge on those views for the use of my committee, stating what connection, if any, the subject has with a highway toll crossing of San Francisco Bay between Marin and Contra Costa Counties."

It is a pleasure to comply with your request because the salt water barrier proposal has unfortunately been linked inseparably in the minds of many people with a toll crossing for vehicular traffic. This has created some confusion in public thinking and has divided many of the proponents of the two projects in spite of what I consider to be irrefutable evidence that neither the desirability nor economic feasibility of either project depends upon the other, and that they are severable in every respect.

The idea of a barrier on San Francisco Bay somewhere below the confluence of the Sacramento and San Joaquin Rivers is not new. Such a proposal was made as early as the 1860's and has recurred in various forms since that time. It has continued to be a controversial matter throughout the years in Federal, State, and affected local governments.

In 1880 the State Engineer made a study of a barrier across Carquinez Straits to aid in the control of floods in the lower reaches of the two rivers. This study reported that the storage capacity above the barrier would not be sufficient and that such a barrier would not be effective in lowering flood planes.

Subsequent to this report the construction of a barrier at various locations on the bay was given consideration as a means of preventing invasion of salt water into upper San Francisco Bay and the delta regions.

In 1921 Captain C. F. Jarvis, of the Army Corps of Engineers, published in the "Transactions of the American Society of Civil Engineers" a report to that organization on the subject. The report was inconclusive, but it did advocate serious future consideration of the possibilities of a salt water barrier.

In 1923 A. Kempkey of the State Department of Public Works, also made a preliminary study and report on a barrier to be located at the upper end of Carquinez Straits. Mr. Kempkey stated that the project seemed to possess elements of value entitling it to serious consideration. The findings were reported in "Proceedings of Sacramento River Problems Conference" January 1924.

As a part of an investigation made by the San Francisco Bay Marine Piling Committee between 1920 and 1927, Mr. C. E. Grunsky made preliminary studies and designs of a barrier in the "narrows" below San Pablo Bay. The "Grunsky Report" described in some detail the benefits to be derived from a barrier, but recognized the

magnitude of the expense involved. He felt that sooner or later means for the erection of a properly located and properly designed barrier would be found. His views were published in the final report of the committee entitled "Marine Borers and Their Relation to Marine Construction on the Pacific Coast," 1927.

At about this same time upper irrigation interests represented by the Sacramento Valley Development Association and the delta interests represented by the Delta Land Syndicate requested the United States Bureau of Reclamation to make an investigation for the purpose of determining the feasibility, probable effectiveness, and the approximate cost of a barrier. The result of this request was the "Report on Salt Water Barrier", 1929 by Walker R. Young, engineer for the Bureau of Reclamation, wherein was published the findings of a cooperative study undertaken by the United States Bureau of Reclamation, the State Department of Public Works, and the Sacramento Valley Development Association. This publication is also known as Bulletin No. 22, Division of Water Resources, Department of Public Works. The State's participation in this investigation was authorized by California Statutes 1923, Chapters 122 and 286. The investigation was directed chiefly to the physical aspects of a salt water barrier. Eleven sites were considered and three were selected for special investigation and study, those three locations being at Dillon Point and Army Point in Carquinez Straits, and at Point San Pablo at the lower end of San Pablo Bay. The conclusion was drawn that it would be physically feasible to construct a salt water barrier. However, since the cost appeared to be so great, economic studies were recommended to determine whether the benefits would be commensurate with the costs.

An Assembly committee to investigate California water resources in 1927 concluded that further study and further public hearings were necessary before the committee could recommend a salt water barrier to the Legislature.

In 1929 a Joint Legislative Committee on Water Problems first reported favorably on a salt water barrier and later in the same year recommended further study with respect to its location and economic feasibility. It further recommended against including the barrier in a proposed state bond issue. Pursuant to Chapter 832, Statutes of 1929, the State Department of Public Works, through its Division of Water Resources, undertook a study of a state water plan. In connection with the development of this plan, the economic aspects of a salt water barrier were considered. The results of this investigation are presented in Bulletin No. 28, Division of Water Resources. Included in the study was the effect of a barrier upon manufacturing industries, industrial waterfront structures, irrigation, reclamation, flood control, navigation, fishing, municipalities, and sewage and industrial waste disposal. In this connection, estimates were made of immediate and future water requirements for all purposes. An essential feature of the investigation was the study of the ability of alternate plans, with and without a barrier, to provide the basic requirements of salinity control and dependable fresh water supplies for the upper bay and delta regions. Recognizing that a barrier was physically feasible, the final conclusion of the investigation was that the structure was not necessary nor economically justified as a unit of the state water plan. Also included in Bulletin 28 is a report of a study made under the direction of C. H. Purcell, State Highway Engineer, on the feasibility and suitability of combining a highway crossing with a salt water barrier. This report concluded that any amount which might be contributed from highway funds toward the building of a barrier would be so small in comparison with the total cost that it could not be considered as an influencing factor. It further pointed out that traffic requirements precluded the possibility of using a barrier as a low level crossing and that therefore the highway facility would assume the character of a high level bridge. At San Pablo Strait, it was stated, the traffic demands would not warrant participation of a highway crossing until 1955, and then only to the extent of 3 or 4 percent of the cost of the barrier.

Also in 1929 Senator Sharkey of Contra Costa County proposed S. C. A. 38 and in conjunction with Senator Swing of San Bernardino County S. C. A. 44. Both provided for a salt water barrier at Carquinez Strait. S. C. A. 38 was held in Senate Committee. S. C. A. 44 was recommended for passage by the Senate committee, adopted by the Senate, recommended for passage by the Assembly committee, and refused adoption by the Assembly after thorough debate on the floor.

Also in 1929 a federal-state water resources commission was appointed, and in 1931 reported "we definitely recommend against the so-called salt water barrier; that is the building of a dam across the Carquinez Strait to restrain the incursion of salt water into Suisun Bay \* \* \* cost out of proportion to benefits."

In 1931 a partial report from the Chief of Army Engineers on the Sacramento, San Joaquin and Kern Rivers, concluded that the construction of a barrier was not economically justified at that time.

Also in 1931 a report of the Joint Committee on Water Problems concluded that a barrier was not then necessary for salinity control but that future developments in the bay area might require its construction.

In 1933 the Central Valley Project Act was passed by the Legislature and sustained by the people on referendum. It included in its objectives "salinity control" but made no reference to a salt water barrier among the features of the project.



Thereafter throughout the years, the so-called Reber Plan, which includes salt water barriers, has been submitted to numerous other State and Federal legislative committees which took no action concerning it.

In 1945 Congress, by House Resolution 529, Seventy-Ninth Congress, Second Session, directed the Secretary of War and the Secretary of Navy to review a prior report "for the purpose of investigating and reporting upon the need and feasibility \* \* \* of constructing a bridge from San Francisco to Bay Farm Island, or a system of dams across San Francisco Bay as provided in the so-called Reber Plan. \* \* \*" Pursuant to this resolution there was established what has come to be known as the Joint Army-Navy Board which in 1947 reported that the Reber Plan as a highway crossing "would result in the dislocation of industry, is economically unfeasible and is not tenable from the standpoint of navigation and national defense." The State Department of Public Works on a similar study reached a like conclusion.

The State Joint Legislative Committee on Water Problems in 1947 reported that the committee held a hearing on the Reber Plan in 1944. It determined that no conclusion would be reached pending the Joint Army-Navy Board hearing in 1947, and thereafter simply noted that the Joint Army-Navy Board discarded the Reber Plan as unfeasible.

In 1949 the "California Assembly Fact Finding Committee on Tidelands, Reclamation and Development, Related Traffic Problems and Relief of the Congestion on Trans-Bay Crossings" was appointed. Assemblyman Richard J. Dolwig was chairman of that committee. The committee employed Mr. John L. Savage, Consulting Engineer of Denver, Colorado, together with the International Engineering Company of San Francisco, to prepare a report with specific direction that an investigation of the Reber Plan be made. The report was made to the committee in January 1951. It is my understanding that it was not transmitted to the Assembly. However, a copy is available and its conclusions are as follows:

"1. The Reber Plan is physically feasible; that is, the various structures contemplated could be built.

"2. The Reber Plan in its entirety is neither functionally nor economically feasible; that is its realization would not produce the desired results, and would seriously hamper the national defense, and its costs would exceed the value of the benefits.

"3. The Reber Plan in its entirety should be given no more consideration.

"4. A north barrier, a ship channel, and a south barrier, as described herein as parts of the Reber Plan, taken individually merit no further consideration.

"5. Another plan involving the construction of a dam in Carqueinez Straits, a 22-mile tunnel, and a south barrier, in its entirety, is not economically practical.

"6. A southern barrier, much different from that contemplated in either the Reber Plan or the above-mentioned plan, might be practicable as a Bay crossing and should be further investigated.

"7. The entire question of salinity protection in the Delta Region should be further investigated."

The reports of this committee in 1950 and 1951 declined to approve the Savage report and recommended further study of the Reber Plan in the following language:

"Many open questions have been raised in the course of the consultants' work. There is the possibility that later some might be resolved adversely to the plan. These considerations suggested that a somewhat less ambitious plan be investigated. \* \* \*"

In March 1952 the Assembly Interim Committee on Conservation, Planning, and Public Works reporting on the program for salinity control in the delta region stated, "In adopting the plan for control of salinity by release of fresh water, the Legislature and state engineers did not fail to take into account the possibility of effecting the control by means of a solid barrier at Antioch or some point further down stream. There were many issues considered in arriving at this decision, and it is not within the scope of this report to review them, but probably the most compelling fact was the conclusion that since there appears to be more than enough water to spare for this project, the expenditure of funds for impounding flood flows in the high lands would be more economical than construction of a solid barrier."

It is obvious that in spite of all of these various studies and reports that have been made through the years concerning a salt water barrier, there is no consensus on the subject. It is also a fact that many of them have been preliminary in nature, that some of them have been directed to specific locations, and that others are quite general in nature. They are premised on a variety of objectives ranging from protection against floods to the conservation of fresh water. None of them is up to date. Economic conditions as well as physical conditions in the Bay area have radically changed since the last definitive investigation (Bulletin 28) was made twenty-odd years ago. New ideas have been broached in more recent years and new methods of construction have been developed. New and contemplated water projects affect the situation. Shasta Dam is in operation, Folsom Dam is under construction, the Feather River Project is in the authorization stage, and the diversion of the Trinity River is being considered.



Any conclusion on the subject must be arrived at in the light of existing circumstances and conditions that can reasonably be envisioned for the future. I have therefore become convinced that an up-to-date definitive study should be made of the barrier proposal. It was for this reason that I made the following recommendation in my message to the Legislature on January 5, 1953: "For many years a salt water barrier has been advocated for San Francisco Bay. It is a controversial subject. Studies of various phases of the proposal have been made through the years by the United States Bureau of Reclamation and by departments of our State Government but there still is no agreement concerning the feasibility of such a barrier. Many people are sincerely of the opinion that it would materially benefit agriculture, industry, and the communities and counties bordering on the Bay and that it has not been adequately studied. The project, if feasible, would be of such great importance to the Bay area that I believe the Legislature would do well to have the State Division of Water Resources make a definitive study of it in order to determine its practicability." The survey should be comprehensive in scope and should include not only the determination of the engineering and economic feasibility of salt water barriers in both the northern and southern parts of San Francisco Bay for the conservation of water, but also the consideration of other possible works for the development of the agricultural, industrial, and municipal potentialities of the entire San Francisco Bay and delta areas.

It is difficult to know beforehand what a study of this kind would cost but the scope of the investigation of necessity calls for a substantial outlay.

I believe it would be in order for the Legislature to allocate from either the fund created for the investigation of the desirability of purchasing the Central Valley Project, or from some other appropriate fund, the sum of \$500,000 with perhaps half of that amount appropriated for immediate use to the Division of Water Resources.

The conservation of water is so important that time is always of the essence in the consideration of our water problems. If we are to have a study of the salt water barrier problem, it should be started at the earliest possible date. To this end I am willing, as I have already stated publicly, to give the necessary letter for consideration of an appropriation for this purpose as an emergency matter prior to the adoption of the budget. This would enable the Division of Water Resources, if approved by the Legislature, to start the work in time to include consideration of salinity conditions of this year.

Most of the studies and reports mentioned herein are not in general circulation. I am therefore attaching to this letter a list of the documents. The reports are available in the Department of Public Works and the Legislative Journals in the State Library.

You also asked in your letter what connections, if any, a salt water barrier has with a highway toll crossing of San Francisco Bay between Marin and Contra Costa counties. It is the conclusion of the Toll Bridge Authority based upon the findings of nationally recognized bridge experts as well as its own engineers that there is no connection between the two; that the construction of the two projects jointly could not be of economic advantage to either. They point out that even though a portion of a salt water barrier might be used for a road surface, that the requirement of the Navy for a vertical clearance of 180 feet for the passage of ships to Mare Island through locks would necessitate a high level structure, which when added to the other costs of a crossing would exceed the cost of the Richmond-San Rafael Bridge. It is obvious therefore that there could be no financial advantages flow to the salt water barrier from a consolidation of the two projects. Their findings also preclude the use of a draw bridge for the passage of ships, because of the necessity of keeping the channel open for the passage of ships as long as an hour at a time. The testimony on this subject is available in the reporter's transcripts of the hearings on the Richmond-San Rafael Bridge.

It should also be borne in mind that the Secretary of the Navy, Dan A. Kimball, on May 28, 1952, in a letter to the Bay Area Council stated in reference to the joint Army-Navy Board study of 1947 the following:

"When various locations for and types of crossings were reviewed against a background of navigation and national defense requirements it became evident that certain limitations would govern what type of crossing would be acceptable at each proposed location. The channels leading to the Shipyards at Hunter's Point and Mare Island were considered to be too important to be restricted by any type of low-level bridge with a draw or lift span at these channels. The construction of dams or causeways would create many unacceptable conditions one of which is the inherent system of locks which would be required. These limitations are still pertinent and are quite in accord with the policy statements which you reported in your letter as being given to you unofficially."

The Toll Bridge Authority was of the opinion that if it was to take care of the traffic needs of fast growing Marin and Contra Costa Counties, there was no action open to it except to provide for the bridge now under construction. I want you to know, however, that at no time has the Toll Bridge Authority considered the Richmond-San Rafael Bridge as in any way incompatible with a barrier as a water conservation project. And at no time has it done anything inconsistent with it. For a

statement of the manner in which the Richmond-San Rafael Bridge was initiated by the Legislature itself, and was carried to the construction stage under its mandates, I refer you to my letter of March 3, 1953 to the Speaker of the Assembly which was printed in the Journal of March 3, 1953, Page 1272.

Sincerely,

EARL WARREN, Governor

The sources of the reports to which I have referred in the order of their reference, are as follows:

Report of the State Engineer, 1880, pursuant to "An Act to Provide a System of Irrigation, Promote Rapid Drainage, and Improve the Navigation of the Sacramento and San Joaquin Rivers" (Stats. 1877-8, ch. CCCXXIX (429). This act created the Office of State Engineer.

Captain C. F. Jarvis—"Control of Flood and Tidal Flow in the Sacramento and San Joaquin Rivers." Published in "Transactions of the American Society of Civil Engineers," Volume 84, (1921).

A. Kempkey—"Proposal for Preventing Salt Water Encroachment by Dam Construction." Published in "Proceedings of the Sacramento River Problems Conference" (sponsored by the Sacramento Chamber of Commerce), January, 1924. (Other papers related to this same problem are reported in the proceedings of this conference.)

G. E. Grunsky Report—"Marine Briers and Their Relation to Marine Construction on the Pacific Coast." Final Report of the San Francisco Bay Marine Piling Committee—1927.

Walker R. Young Report—"Report on Salt Water Barrier." Published in Bulletin No. 22 (two volumes), by the State Department of Public Works, Division of Water Resources—1929.

Assembly Committee to Investigate California Water Resources, 1927, Assembly Journal for March 4, 1927, pp. 504-515.

Report of the Joint Committee of the Senate and Assembly Dealing With the Water Problems of the State—January 18, 1929.

Supplemental Report of the Joint Committee of the Senate and Assembly Dealing With the Water Problems of the State—April 9, 1929.

"Economic Aspects of a Salt Water Barrier." Bulletin No. 28, State Department of Public Works, Division of Water Resources, 1931. (The report of C. H. Purcell, State Highway Engineer, on the "Feasibility and Suitability of Combining a Highway Crossing With a Barrier," is reported in Bulletin No. 28, Appendix B, p. 223.)

Senate Constitutional Amendment 38—1929 Session. Introduced April 19, 1929—Senate Journal, p. 1656.

Senate Constitutional Amendment 44—1929 Session. Introduced May 7, 1929—Senate Journal, p. 2140.

Report of the California Joint Federal-State Water Resources Commission. Assembly Journal, 1931, Volume 1, p. 200-211.

Partial Report on Sacramento, San Joaquin and Kern Rivers, California, 1931. House of Representatives Document No. 791, 71st Congress, Third Session.

Report of the Joint Committee of the Senate and Assembly Dealing with the Water Problems of the State, March, 1931. (Appendix to Senate Journal of March 23, 1931.)

Central Valley Project Act of 1933. (Stats. 1933, Ch. 1042), approved by the electors at a special election on December 19, 1933.

Joint Army-Navy Board. See Army-Navy Board report, pp. 66-81 and Appendix V, 1947.

For conclusions of the State Department of Public Works see "Preliminary Studies for Additional Bridge Across the San Francisco Bay." Department of Public Works, January 31, 1947, Appendix B.

Report on Water Problems of the State of California by Joint Legislative Committee on Water Problems. April 1, 1947.

The "Savage Report"—Report on Development of the San Francisco Bay Region prepared for the Fact-Finding Committee on Tidelands.

Reclamation and Development, Related Traffic Problems, and Relief of Congestion on Transbay Crossings, January 1951. (Presented to the Committee by John L. Savage and the International Engineering Co., Inc., but not published as a Legislative document.)

Second Report and Fifth Report of the Assembly Fact-Finding Committee on Tidelands Reclamation and Development, Related Traffic Problems and Relief of Congestion on Transbay Crossings. April 1950 and May 1951.

Interim Report of the Assembly Interim Committee on Conservation, Planning and Public Works, March 1952.

**REPORTS OF STANDING COMMITTEES****Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Military and Veteran Affairs, to which was referred:

Senate Bill No. 903

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

SUTTON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Concurrent Resolution No. 43

Senate Concurrent Resolution No. 46

Senate Concurrent Resolution No. 44

Senate Concurrent Resolution No. 47

Senate Concurrent Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 7; absent 4.

SUTTON, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Military and Veteran Affairs, to which was referred:

Senate Bill No. 702

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

SUTTON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 784

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

SUTTON, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 251

Senate Bill No. 645

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

TENNEY, Chairman

Above reported bills ordered to second reading.



**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:  
Senate Bill No. 773

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:  
Senate Bill No. 771  
Senate Bill No. 772  
Assembly Bill No. 1555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:  
Senate Joint Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: Your Committee on Rules has examined:

**Senate Bill No. 330**—An act to add Section 9130.5 to the Government Code, relating to claims against the contingent funds of the Assembly and Senate;

**Senate Bill No. 1666**—An act to amend Section 17721 of, and to add Sections 17360, 17724.1 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxation, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of March, 1953, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 12**—Relative to requesting the Congress of the United States to adopt and submit an amendment to the Constitution pertaining to treaties and executive agreements;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1953, at 3 p.m.

POWERS, Chairman

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Senate Journals for Monday, March 16, 1953; Tuesday, March 17, 1953; Wednesday, March 18, 1953; Thursday, March 19, 1953; and Friday, March 20, 1953; be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**ADJOURNMENT**

At 4.42 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m. Tuesday, March 24, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-SECOND LEGISLATIVE DAY

FORTY-SECOND CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, March 24, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ben Fleming of Oakdale and Tommy Meeum of Ione.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Jack Bennett of Crescent City.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. E. Sprague, Mrs. Emma Sawyer, and Mrs. Cecile Jodain, all of San Jose.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Jack Fasman, Oscar Linstrum of the David D. Bohannon School, San Lorenzo and Mr. Monger and Frank Martella of Edendale School, and the following students of the two schools: *David D. Bohannon School*—Patricia Bean, Daniel Bolick, Nancy Brewer, Ann Bronzi, Bill Brown, Ronald Bush, Jim Clements, Patricia Cunningham, Sharon Cutler, Richard

Derr, Roger Frink, Pam Gregory, Robert Hawke, Judy Holcomb, Nancy Hunter, Amy Hutchison, Arline Kessler, Alberta King, Ralph Lorber, Gloria Lowrie, Joan McCausland, Anita Meyer, Diane Mitchell, Dixie Montgomery, Michael Shannon, Ronald Warren, Darryl Walker, and Lawrence Woodside; *Edendale School*—Darryl Anderson, Pat Taber, Lewis Speakes, Dennis Skiffington, Shirley Silva, Barbara Silhavy, Stanley Sherwood, Phillip Russell, Joanne Roze, Henry Rodrigues, Allen Rauser, Warren Philpott, Ann Mello, Ronald Magneson, Gary Jaye, Richard Hitesman, Brian Hayes, Allen Greenhaw, Janice Gray, Gordon Dadey, Joan Correia, Dewane Coker, Kay Clark, Richard Campbell, Susan Bronson, Genie Lewis, Melanie Borges, Janice Baker, Joyce Avila, Georgia Cromeenes, Bobette Wilson, Eugene Sparks, Clark Meyers, and Gary Morrow.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Darwin R. Russell, instructor, and the following students of the La Canada Junior High School, Pasadena: Kay Akerberg, Nancy Alexander, Mark Detrick, Bill Fairfield, Cheryl Lawson, and Peter Tracy.

On request of Senators Williams and Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ferris R. Sherman of Visalia and Tennis H. Erickson of Sanger.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Eleanor S. Prime and Mrs. Irma Doty from the county superintendent's office; pupils Sidney Mumma, Lee Traynham, and Gayle Kalfsbeek, all accompanied by Mrs. Louis G. Sutton.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Letitia Larson of Tamalpais High School, Mill Valley, and teacher Arthur Chapman of Sir Francis Drake High School of San Anselmo, and the following students of the two schools: Tamalpais High School—Larry Astley, Robert Aune, Beverly Balek, Barbara Bradley, Edward Browne, Sandra Bucholtz, Phyllis Crapse, Barbara Dickey, Ronald Dresser, Dayton Drake, Susan Durham, Germaine Enberg, Donna Frederick, Norman Gee, Joan Gosser, Lenore Gosser, Sallie Gross, Jeradine Harvey, James Hines, Kathryn Hudson, Gregory Justice, Sandra Kindred, Nancy Lion, Chris Loser, Elizabeth Mainini, Patricia Marsh, Kathleen Murphy, Leo McAdams, Dana McBride, Carol Nagy, Theda Nelsen, Betty Rotermund, Marcia Savage, Barbara Sherman, Barbara Shepard, Rawley Smith, Earnest Suggs, Charles Walker, Ernie Wallace, John Wise, Carla Wooley, Donald Zarker, and Dewayne Zimmerman; Sir Francis Drake High School—Virginia Anselmi, Carol Ashlock, Jerry Bartlett, Warren Baxter, Arnold Beaulieu, Robert Beebe, Eunice Cherry, Ted Cody, Peter Deetkin, Barbara Douthitt, Shelly Doggett, Arthur Donati, Edith Eakin, Gerry Eling, Merle Ensler, Shirley Estby, Jane Fraser, Thomas Frederick, Connie Gardiner, Ernest Godbe, Milton Hain, Richard Harder, Ronald Harder, Jo Ann Hendricks, Marlene Jacobsen, Martin Kamp, John Kennedy, Dave Krig, Jay Larson, Marg Linderman, Raymond Luce, Edith Lunde, Kathy Minahen, Lenore Owen,

Chester Pape, Patricia Patton, Ross Rogers, Barbara Ruby, Joyce Ruggeri, George Russell, Elaine Segarini, Bernard Sheehan, Linda Signorelli, Judy Smith, Don Spaulding, Sandra Stauffer, Marilyn Ullan, James Wickersham, and Lois Woods.

On request of Senators Abshire and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. R. Emparan of Sonoma and Sacramento.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elizabeth Nathan and John Forkner of Fresno.

On request of Senators Hoffman and Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following employees of Stockton and Napa Hospitals: Madaline Healy, Ruth Bebout, Harold Bebout, Howard Lewis, Jim Leavy, Elizabeth Leavy, Fern Seane, Jake Bean, Mary Ann Smith, Dairah Smith, Yvonne McCulloch, Maud Grogan, and Bernadene Black.

On request of Senator O'Gara and all Members of the Senate, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of Steuben Society: Kurt Edell, Pasadena; Mr. and Mrs. Carl Tenekhoff, Long Beach; Mr. and Mrs. Louis T. Kruger, San Francisco; Mr. and Mrs. Adolph Schaumloeffel, San Francisco; Mr. Bernard Brinkman, Los Angeles; Mrs. Margaret Walters, Los Angeles; Mr. and Mrs. Fred Bauer, Sacramento; William Greue, Sacramento; Gottfried Hesse, Oakland; Philip Iekler, Oakland; C. R. Haskins, Los Angeles; Paul Wassersleben, San Francisco; Mrs. Dora Stauss, San Francisco; Mr. and Mrs. Fred Krammer, Sacramento; Mrs. Walter Jacoby, Belmont; Mr. and Mrs. George Glaus, Belmont, and Mr. and Mrs. Herman Laskey, Belmont.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Harriett Kreitz of Inglewood.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John V. McKenna of San Francisco.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. James K. Christie of San Diego.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Sister M. Clara and Sister Esther Marie and Adults Ray Welhelm, Mrs. Kathleen Wieland, Mrs. J. Ruddy, Mrs. J. Gallo, W. L. Pickens, Mrs. J. Corgiat, Mrs. E. Dovichi, Mrs. J. Griffin, Mrs. F. Hammett, Mrs. Capute, Mr. Bennadotti, Mrs. E. Gallo, Mrs. Bondi, Mrs. Isola, Mr. and Mrs. Racha, Mr. Desrr, Mrs. Corgiat, Mrs. Hammett, and Mrs. Dovichi, and the following students of St. Stanislaus School: Rosalind Ambrose, Charles Bispo, Billy Briggs, Sandra Brown, Hamlin Burch, John Corgiat, Richard Davis, Lawrence Dovichi, Diane Duckart, Sharon Freddick, Beverly Fonseca, Catherine Franklin, Kathleen Fritz, David Gallo, Phillip Gallo, Jack Griffin, Amelia Guagenti, Michael Hammett, Patricia Hammett, Linda Isola, Jeannine Lambert, Philip Linhares, Rose Marie Moran, Marilyn Olson, Margaret Olsen, Dale Pate, Louis



Pescarmona, Robert Pickens, Theresa Porcella, Carol Pratt, Patricia Rennie, Joan Ruddy, Carroll Smith, Lorraine Vieira, Richard Wend, La Rae Wilhelm, John Willinger, Peter Zimmerman, Richard Aikin, John Bernadotti, Charles Billington, Carolyn Bondi, William Burch, Armand Caputi, Marie Cazzasa, Barbara Caterino, Paul Corgiat, Charles Corn, Richard Duckart, Billie Joan Durr, Patrick Francis, Sedalia Freire, Joseph Gallo, Haleen Halverson, Joanne High, Rosella Isola, Rosa Jara, Dorothy Kiely, Diane La Ferla, David Machado, Jeffrey Marr, Michael McCarthy, Robert McCoy, Donald Milam, Georgina Moreno, David Odell, Raymond Podesto, Yolanda Presto, Mary Ann Rocha, John Ruffino, Mary Lou Schuster, Gerald Stivers, Lyle Smith, Janet Taylor, Joseph Todaro, Gary Vaccarro, Evelyn Van Duyn, Frances Vargas, Roselene Vargas, Ritchie Verhaegan, De Ann Welch, Penelope Welt, and Patrick White.

On request of Senators O'Gara and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Patricia Mooser, Secretary of State Democratic Central Committee, and Mrs. Gladys Bambarger, both of San Francisco.

On request of Senators Abshire and Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donald L. Abshire of Oakland.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harmer E. Davis, Director of the Institute of Transportation and Traffic Engineering, University of California.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Dorothy Shepard and Donald D. Jameson; Parents Mrs. Edith Kilfoyl, Mrs. Dorothy Howard, Mrs. Dorothy Rich and the following students of the Scotts Valley Union School: Bonnie Bivins, Natalie Bobbitt, Barbara Hanks, Janice Johnson, Nancy Kilfoyl, Judith McCown, Judith Noel, Peggy Poulsen, Suzanne Petti, Patricia Ragon, Karole Sanches, Bonnie Sheldon, Sharon Strong, Dick Alderson, Leslie Ball, Dennis Bobbitt, Dale Clemons, Paul Henneuse, Stephen Howard, James Packer, Paul Rich, Tommy Reeves, Lester Richardson, Clyde Smith, Ted Teman, and Byron Heicksen.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Reeve H. Barceloux and their son, Donald, of Orland, California.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. B. Erna McGee of San Francisco.

On request of Senators Kraft and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton C. Mauzy of Palm Springs.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Will Stevens of the San Francisco Examiner.



## COMMUNICATIONS

The following communication was received and read and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE, March 24, 1953

*Hon. Harold J. Powers*

*President pro Tempore of the Senate*  
*Sacramento, California*

DEAR SENATOR POWERS: At the conclusion of business on yesterday, Monday, March 23rd, the Senate had passed and sent to the Assembly 318 Senate measures, and the Assembly had passed and sent to the Senate 556 Assembly measures.

Today we have remaining 56 calendar days, omitting Saturdays and Sundays, in which to transact the business of this session. Assuming again that we will transact the same amount of business this session that we did in 1951, we have before us 2,015 measures to be disposed of.

Dividing 2,015 by 56, reveals the fact that we will have to dispose of an average of 36 measures per day to get through within the time allowed by the Constitution.

It should be remembered that calling the roll and passing a Senate Bill does not of necessity remove that bill from the file. If it is amended by the Assembly, we will have one more roll call, if we concur in the amendments, and two more roll calls if we refuse to concur and adopt a committee conference report. From this it is evident that we will have to record an average of more than 40 roll calls a day from now on to complete the work of the session in the time allowed.

Very truly yours,

J. A. BEEK, Secretary of the Senate

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 476

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1403

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 256

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1353

Senate Concurrent Resolution No. 48

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 173

Senate Bill No. 1527

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 528

Senate Bill No. 1232

Senate Bill No. 1594

Senate Joint Resolution No. 25

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 43

Senate Concurrent Resolution No. 46

Senate Concurrent Resolution No. 44

Senate Concurrent Resolution No. 47

Senate Concurrent Resolution No. 45

And reports the same correctly engrossed.

POWERS, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Assembly Bill No. 1598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 555

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1010

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bill ordered to second reading.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.40 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:

By Senator Ward; Senators McBride, Erhart, Parkman, Busch, Burns, Desmond, Cunningham, Regan, Harold T. Johnson, Way, and Brown, joint authors:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Sections 79 to 79.58, inclusive, of, and to add Section 79 to, the Code of Civil Procedure and to repeal Sections 69640 to 69698, inclusive, of, and to add Section 69640 to, the Government Code, relating to salaries of judges of the superior courts.

Respectfully submitted,

SENATOR WARD

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 24, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, and Way—33.

**NOES**—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time :

**Senate Bill No. 1947:** By Senators Ward, McBride, Erhart, Parkman, Busch, Burns, Desmond, Cunningham, Regan, Harold T. Johnson, Way, and Brown—An act to repeal Sections 79 to 79.58, inclusive, of, and to add Section 79 to, the Code of Civil Procedure and to repeal Sections 69640 to 69698, inclusive, of, and to add Section 69640 to, the Government Code, relating to salaries of judges of the superior courts.

Referred to Committee on Governmental Efficiency.

**ANNOUNCEMENT REGARDING APPROPRIATION BILL**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 903 carries an appropriation.

The President ordered Senate Bill No. 903 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 758**—An act to amend Sections 3, 12, 16, 19, 22, 26 and 28 of, and to add Sections 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9 and 30.17 to, the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1268**—An act to repeal Chapter 426 of the Statutes of 1923, relating to water conservation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1271**—An act to repeal Chapter 346 of the Statutes of 1909, relating to swamp land, levee or reclamation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1272**—An act to repeal Chapter 629 of the Statutes of 1873-4, relating to Swamp Land No. 150 District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1273**—An act to repeal Chapter 1100 of the Statutes of 1939, relating to storm drain maintenance districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1274**—An act to repeal Chapter 479 of the Statutes of 1923, relating to the Santa Clara County Irrigation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1275**—An act to repeal Chapter 822 of the Statutes of 1921, relating to the Santa Clara County Irrigation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1277**—An act to repeal Chapter 481 of the Statutes of 1871-2, relating to the Mormon Slough Reclamation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1278**—An act to repeal Chapter 792 of the Statutes of 1927, relating to the Bayside Reclamation District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1656**—An act to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 91**—An act to amend Sections 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 41, 44, 45, 48, 50, 51, 64, 68, 69, and 74 of, to add Sections 1, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 1, 1.1, 1.2, 1.3, 1.4, 1.5, 8, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, and 70 of, the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

##### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate March 10, 1953, after "51", insert "52, 57,".

##### Amendment No. 2

On page 20, lines 1, 2, and 3, of said bill, as amended, strike out "for the purpose of accomplishing any of", and insert "as hereinafter provided to accomplish".

##### Amendment No. 3

On page 20, line 22, of said bill, as amended, strike out "the said", and insert "said".

##### Amendment No. 4

On page 20, line 24, of said bill, as amended, after "provided;," insert "a president, a vice president,".

##### Amendment No. 5

On page 23, line 41, of said bill, as amended, after "office," insert "except that if the vacancy is that of an appointed director, the appointing body shall appoint a successor".

##### Amendment No. 6

On page 25, line 4, of said bill, as amended, after "hours", insert a period.

##### Amendment No. 7

On page 29, line 33, of said bill, as amended, strike out "special".

##### Amendment No. 8

On page 33, line 16, of said bill, as amended, strike out "rates", and insert "rate".



**Amendment No. 9**

On page 35 of said bill, as amended, between lines 26 and 27, insert

"Sec. 35. It shall be unlawful to produce water from any water producing facility within the boundaries of the Orange County Water District from and after March 31, 1956, unless such water producing facility has been registered with said district and has a water measuring device affixed thereto capable of registering the accumulated amount of water produce therefrom."

**Amendment No. 10**

On page 35 of said bill, as amended, strike out lines 42 to 48, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 11**

On page 38 of said bill, as amended, after line 52, insert

"SEC. 58.5. Section 52 of said act is amended to read:

Sec. 52. The secretary of the board of directors shall cause a notice of the filing of said petition to be given and published in the same manner and for the same time as notices of [special elections for the issuance of bonds are required in this act to be given and published] *election of directors as required in Section 14 hereof*. The notice shall state the purpose of the petition and describe the boundaries of the tract of land proposed to be included and give the names of the petitioners, and it shall notify all persons interested in or that may be affected by the proposed inclusion of said land within the district to appear at the office of said board at a time named in said notice for the hearing of said petition, and objections thereto and show cause in writing, if any they have, why said land or any of it should not be included as proposed in said petition. The time to be specified in the notice for the hearing of said petition and any objections thereto shall be the regular meeting of the board next after the expiration of the time for the publication of said notice. The petitioners shall advance to the secretary sufficient money to pay for the publication of said notice, otherwise the secretary shall refuse to publish the same.

SEC. 58.6. Section 57 of said act is amended to read:

Sec. 57. Upon the adoption of the resolution mentioned in the last preceding section, the board shall order that an election be held within said district, to determine whether the boundaries of the district shall be changed as mentioned in said resolution; and shall fix the time at which said election shall be held, and cause notice thereof to be given and published. Said notice shall be given and published, and said election shall be held and conducted, the returns thereof shall be made and canvassed, and the result of the election ascertained and declared, and all things pertaining thereto conducted in the manner prescribed by this act [in case of a special election to determine whether bonds of the district shall be issued] *for the holding of an election for directors*. The ballots cast at said election shall contain the words "For change of boundary," or "Against change of boundary," or words equivalent thereto. The notice of election shall describe the proposed change of the boundaries in such manner and terms that it can readily be traced."

**Amendment No. 12**

On page 38, line 34, of said bill, as amended, strike out "determines," and insert "determines."

**Amendment No. 13**

On page 38 of said bill, as amended, strike out lines 35 and 36.

**Amendment No. 14**

On page 26, line 23, of said bill, as amended, after "however," insert "if determined to be necessary by the board,".

**Amendment No. 15**

On page 26, line 8, of said bill, as amended, strike out "together with", and insert "less".

Amendments read, and adopted.

**Motion to Amend**

Senator Murdy moved the adoption of the following amendments:

**Amendment No. 1**

On page 16, line 28, of the printed bill, as amended in Senate March 10, 1953, strike out "appropriate,".

**Amendment No. 2**

On page 18, line 4, of said bill, as amended, after "thereof," insert "provided, that this subsection shall not be construed as granting any right other than the right to participate in the actions and proceedings enumerated herein."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 702**—An act to add Section 981.14 to the Military and Veterans Code, relating to educational benefits for veterans.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 981.6, 981.8, and".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 981.6 is added to the Military and Veterans Code, to read:

981.6. No veteran who is receiving federal educational benefits shall be eligible to receive the educational benefits provided by this article during such time that he is receiving federal educational benefits.

SEC. 2. Section 981.8 is added to said code, to read:

981.8. No veteran, as defined in Section 980 or Section 980.14 of this code, shall receive educational benefits as provided by this code unless he has served at least 90 days on active duty with the armed forces of the United States. This provision shall not apply to a veteran who was discharged due to a service connected disability within said 90-day period.

SEC. 3. Section 981.14 is added to said code, to read:"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 784**—An act making an appropriation for the continuous operation of aid to veterans under the Veterans' Farm and Home Purchase Act of 1943 pending approval and sale of bonds for that purpose.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Military and Veterans Affairs:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation for the continuous operation of", and insert "to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to".

**Amendment No. 2**

In lines 3 and 4 of the title of said bill, strike out "pending approval and sale of bonds for that purpose".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1 of said bill, strike lines 1 to 11, inclusive, and insert

"SECTION 1. Section 985.5 of the Military and Veterans Code is amended to read:  
985.5. No veteran shall receive the benefits hereof who, in the case of the purchase of a farm would thereby become the holder of real estate exceeding in value sixteen thousand five hundred dollars (\$16,500) or who in the case of the purchase of a home would thereby become the holder of real estate exceeding in value [eleven thousand five hundred dollars (\$11,500)] *twelve thousand five hundred dollars (\$12,500)*.

SEC. 2. Section 986.3 of said code is amended to read:

986.3. The department may acquire such farm or home from the owner thereof or may contract with a veteran for the construction of a dwelling house and other improvements for a farm or home, upon the terms agreed if:

(a) The department is satisfied of the desirability of the property submitted.

(b) The veteran has agreed with the department actually to reside on the property within 60 days from the date of purchase by the department, or if the residence on the property is not complete on the date of purchase, within 60 days after the residence is completed.

(c) The purchase price to the department of the property, or the sum to be expended by the department pursuant to a contract for the construction of a dwelling house and other improvements, does not exceed the sum of fifteen thousand dollars (\$15,000) in the case of a farm, or eight thousand five hundred dollars (\$8,500) in the case of a home.

(d) Where the department is to contract with a veteran for the construction of a dwelling house and other buildings:

(1) The veteran is the owner in fee of the real property on which the dwelling house and other buildings are to be constructed and agrees to convey that property to the department without cost.

(2) The veteran has paid a reasonable fee set by the department to cover the cost of such preliminary service of the department as may be necessary to process the application.

(3) The veterans has filed with the department adequate plans and specifications for the improvements to be constructed upon said real property, together with a contract, executed by a contractor licensed by the State of California for the construction of said improvements in accordance with said plans and specifications within eight months after the acquisition of said real property by the department, and a bond executed by the contractor providing for compliance with the terms of said contract and for the payment of material men and labor furnishing material or labor on the job, executed by a surety company authorized to do business in the State of California.

(4) The plans, specifications, contract and bond are approved by the department.

(5) The total value of said real property and the improvements to be constructed thereon in accordance with the contract, plans and specifications submitted shall not exceed the sum of [eleven thousand five hundred dollars (\$11,500)] *twelve thousand five hundred dollars (\$12,500)* in the case of a home or sixteen thousand five hundred dollars (\$16,500) in the case of a farm.

(6) The veteran has placed in escrow, all sums of money to be advanced by him where the cost is in excess of the maximum that may be expended by the department.

SEC. 3. Section 986.5 of said code is amended to read:

986.5. The purchase price of a home to the department, shall not exceed the sum of eight thousand five hundred dollars (\$8,500), and a veteran purchasing the home may advance the difference between the total price or cost of the home and the sum of the purchase price of the home to the department and any amount the department is required under Section 986.9 of this code to add to the purchase price of the home in fixing the selling price thereof to the veteran, but in no case shall the total value thereof after completion of construction exceed [eleven thousand five hundred dollars (\$11,500)] *twelve thousand five hundred dollars (\$12,500)*. The purchase price of a farm to the department shall not exceed fifteen thousand dollars (\$15,000), and a veteran purchasing the farm may advance the difference between the total price of the farm or cost of the dwelling and improvements to be constructed on a farm under a contract and the sum of such purchase price to the department or contract price to the department and any amount which the department is required under Section 986.9 of this code to add to such purchase or contract price to the department in fixing the selling price of the farm to the veteran, but in no case shall the total value of the farm and the dwellings and improvements thereon exceed sixteen thousand five hundred dollars (\$16,500)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 251**—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 645**—An act to add Sections 17403.2 and 17403.3 to the Financial Code, relating to escrow instructions to escrow agents under the Escrow Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 773**—An act to amend Sections 5093 and 6013 of, and to add Section 6011.6 to, the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 9, of the printed bill as amended in Senate March 17, 1953, strike out "agent", and insert "secretary".

**Amendment No. 2**

On page 2, line 9, of said bill, as amended, strike out "the"; and strike out all of line 10, and insert a blank space and a period (-----).

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 771**—An act to amend Sections 6070 and 6071 of the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Senate March 17, 1953, strike out "mutual".

**Amendment No. 2**

On page 1, line 15, of said bill, as amended, strike out "each"; and strike out all of line 16.

**Amendment No. 3**

On page 1, lines 17, of said bill, as amended, strike out "(1) T", and insert "t".

**Amendment No. 4**

On page 1 of said bill, as amended, strike out lines 21 and 22, and insert "The applicable provisions of Sections 922.1 to 922.8 inclu-".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 772**—An act to amend Section 6047 of the Insurance Code, relating to county mutual insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in Senate March 17, 1953, after "assumed", insert "and".



**Amendment No. 2**

On page 1, line 21, of said bill, before "write", insert a comma.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 761**—An act to add Section 525.3 to the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 22, of the printed bill, as amended in Senate March 5, 1953, strike out "another vehicle", and insert "any trailer, semi-trailer or house trailer".

**Amendment No. 2**

On page 1, line 25, of said bill, as amended, strike out ", or", and insert "which is preceding it being driven in the same direction and not less than 500 feet to the rear of".

**Amendment No. 3**

On page 2 of said bill, as amended, strike out line 1, and insert "towing any trailer, semi-trailer, or house trailer which is preceding it".

**Amendment No. 4**

On page 2, line 8, of said bill, as amended, after "to", insert "a passenger vehicle drawing a camping semi-trailer or small trailer or other passenger vehicle, nor to".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1929**—An act to codify Chapter 23 of the Statutes of 1949 by repealing said chapter and adding Chapter 3 to Division 1 of the Water Code, relating to water shortage emergencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1928**—An act to codify Chapter 1677 of the Statutes of 1951 by repealing said chapter and adding Chapter 4 to Division 1 of the Water Code, relating to the regulation and licensing of interferences or attempts to interfere by artificial means with the natural condensation of rain, snow, water or moisture in any form contained in the atmosphere.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1927**—An act to codify Chapter 641 of the Statutes of 1937 by repealing said chapter and adding Chapter 3 to Part 1 of Division 5 of the Water Code, relating to the transfer by counties and cities to flood control districts of storm drain improvements, drainage improvements and drainage systems.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1899**—An act to codify Chapter 1215 of the Statutes of 1941, relating to the protection of domestic water supplies from pollution by placer mining operations, by adding Chapter 6.5 to Division 2 of the Public Resources Code, and repealing Chapter 1215 of the Statutes of 1941.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1177**—An act to amend Section 7 of the Los Angeles County Flood Control Act, relating to the issuance of bonds, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1555**—An act to amend Section 11716 of, and to add Sections 11716.1, 11716.2, 11716.3, and 11716.4 to, the Insurance Code, and to amend Section 4 of Chapter 14 of the Statutes of 1953, relating to insurance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

##### Amendment No. 1

In line 1 of the title of the printed bill as amended in Assembly March 4, 1953, strike out "Section 11716", and insert "Sections 11716 and 11716.1".

##### Amendment No. 2

In line 1 of the title of said bill, as amended, after "Sections", strike out "11716.1".

##### Amendment No. 3

In line 2 of the title of said bill, as amended, strike out "11716.2".

##### Amendment No. 4

On page 1, line 13, of said bill, as amended, strike out "is added to the Insurance Code," and insert "of said code is amended".

##### Amendment No. 5

On page 2, line 13, of said bill, as amended, strike out "or as revised".

##### Amendment No. 6

On page 2, line 20, of said bill, as amended, strike out "or as revised".

##### Amendment No. 7

On page 2, line 24, of said bill, as amended, strike out "further".

##### Amendment No. 8

On page 2, line 26, of said bill, as amended, strike out "such", and insert "all".

##### Amendment No. 9

On page 2, line 27, of said bill, as amended, strike out "such".

##### Amendment No. 10

On page 2 of said bill, as amended, strike out lines 30 through 47.

##### Amendment No. 11

On page 2, line 48, of said bill, as amended, strike out "SEC. 4.", and insert "SEC. 3."

##### Amendment No. 12

On page 3, line 7, of said bill, as amended, strike out "SEC. 5.", and insert "SEC. 4."

**Amendment No. 13**

On page 3, line 16, of said bill, as amended, strike out "SEC. 6.", and insert "SEC. 5."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Bill No. 187**—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 70, 71, 73, 74, 76, and 77 of, and to add Section 78 to, the Agricultural Code, relating to agricultural fairs.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 187?

**Amendment No. 1**

On page 2, line 22, of the printed bill, strike out "and Exposition Contingent".

**Amendment No. 2**

On page 2, line 25, of said bill, strike out "and Exposition".

**Amendment No. 3**

On page 2, line 51, of said bill, after the period, insert "Whenever the name State Agricultural Society Contingent Fund is used in any statute, act, law, appropriation, or other place, the same shall be held and deemed to refer to and mean the State Fair Fund."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 187 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, and Way—31.

NOES—None.

Above bill ordered enrolled.

**Chief Assistant Secretary Cleve V. Taylor at the Desk****Consideration of Assembly Amendments**

**Senate Bill No. 764**—An act to amend Sections 1101 and 1103 of, and to add 1103.35 to, the Agricultural Code, relating to eggs.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 764?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1101 and 1103".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 2 of said bill, after line 27, insert

"SEC. 2. Section 1103 of said code is amended to read:

1103. It is unlawful to prepare, pack, place, deliver for shipment, deliver for sale, load, ship, transport or sell in bulk or in containers or subcontainers eggs:

(a) Unless each container and subcontainer of chicken eggs is marked with the full, correct and unabbreviated designation of size and quality of the eggs therein according to the standards as prescribed in this article together with the name and address

of the producer, dealer, retailer, or agent by or for whom the eggs were graded or marked;

(b) Which are mislabeled;

(c) Which are deceptive;

(d) That are or contain inedibles and which are not denatured, provided that not to exceed 5 percent by count of inedibles shall be permitted when eggs are going to a dealer for candling and grading [.] , or to a *breaking plant for breaking purposes*.

(e) Which have been in an incubator, unless the inedibles have been removed.

Only one description of the size and quality of eggs shall appear upon a container, subcontainer or placard required by this article, except that as to eggs placed in containers the markings may show different size and quality descriptions for specified quantities of eggs in the container.

Designations of size and quality required by this section to be marked upon containers of eggs shall be plainly and conspicuously marked in bold face type letters (1) not less than one-fourth inch in height or the outside top face of each container holding less than 15 dozen eggs and (2) not less than one-half inch in height on one outside end of any oblong container holding 15 dozen or more eggs and on one outside side of any other container holding 15 dozen or more eggs."

#### Amendment No. 3

On page 2, line 28, of said bill, strike out "SEC. 2", and insert "SEC. 3".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 764 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, and Way—30.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 819**—An act to amend Section 12974 of the Insurance Code, relating to moneys in the Insurance Fund.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 819?

#### Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "Whenever the unencumbered balance in said fund exceeds two million dollars (\$2,000,000), the", and insert "The".

#### Amendment No. 2

On page 1, line 15, of said bill, strike out "such excess balance", and insert "the unencumbered balance in said fund at June 30th, each year, in excess of two million dollars (\$2,000,000)".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 819 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Above bill ordered enrolled.



**Consideration of Assembly Amendments**

**Senate Bill No. 1332**—An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1332?

**Amendment No. 1**

On page 1, line 10, of the printed bill as amended in Senate March 3, 1953, after "coprincipal", insert a comma.

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1332 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—33.  
NOES—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 476**—An act to amend Section 6060.8 of the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Collier, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, and Way—25.

NOES—Senators Cunningham, Grunsky, Hatfield, and Sutton—4.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1135**—An act to amend Section 14455.1 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Desmond, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 543**—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, and 18 of, and to add Sections 16, 16.1 and 16.2 to, the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 543 be placed on the inactive file.

Motion carried.

**Senate Concurrent Resolution No. 48**—Relative to administration of the Unemployment Insurance Act.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, and Way—33.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 528**—An act to amend Sections 461, 464, 464.5, and 4357 of the Agricultural Code, relating to the serving and sale of market milk and to the determination of minimum prices for market milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, and Way—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1232**—An act to add Section 870.5 to the Agricultural Code, relating to olives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—34.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1594**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 1554 of the Statutes of 1951, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—34.  
**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 173**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Cunningham, Donnelly, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1527**—An act to add Section 316.5 to the Agricultural Code, relating to inspection of vehicles used in transportation of meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 256**—An act to amend Section 4862 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 43**—Relative to reports of the department encampments or conventions of the United Spanish-American War Veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 44**—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—32.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 45**—Relative to reports of the annual conventions of the American Legion.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—30.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 46**—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—31.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 47**—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—33.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 25**—Relative to repair of Morro Bay Breakwater.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Williams—33.  
NOES—None.

Resolution ordered transmitted to the Assembly.



## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1872**—An act to codify Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939, relating to housing authorities, by adding Chapter 1.5 to Part 2 of Division 24 of the Health and Safety Code, and by adding Sections 34369, 34370, and 34371 thereto, and repealing Chapter 1 of the Statutes of 1938 and Chapter 362 of the Statutes of 1939.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 512**—An act to amend Section 628 of the Agricultural Code, relating to sterilized milk and sterilized cream.

Bill read third time, and presented by Senator Williams.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1861**—An act to codify Chapter 416 of the Statutes of 1915, relating to the sale of imported butter, by adding Section 593.5 to the Agricultural Code, and repealing Chapter 416 of the Statutes of 1915.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Assembly Bill No. 1862**—An act to codify Chapter 170 of the Statutes of 1915 by adding Section 802.7 to the Agricultural Code and repealing Chapter 170 of the Statutes of 1915, relating to raisins.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1864**—An act to codify Chapter 40 of the Statutes of 1923, relating to the importation of parasitic and predaceous insects for pest control, by adding Section 110.5 to the Agricultural Code, and repealing Chapter 40 of the Statutes of 1923.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1866**—An act to codify Chapter 757 of the Statutes of 1921, relating to dogs and providing restrictions upon the running of dogs at large for the protection of livestock, by adding Chapter 9 to Division 3 of the Agricultural Code, and repealing Chapter 757 of the Statutes of 1921.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1869**—An act to codify Chapter 150 of the Statutes of 1947, relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets, by adding Chapter 14 to Division 6 of the Agricultural Code, and repealing Chapter 150 of the Statutes of 1947.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2150**—An act to amend Sections 2 and 3 of an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), as amended, relating to the acceptance and use of such trust asset funds, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Ward, and Way—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 1883**—An act to codify Chapter 1188 of the Statutes of 1949, relating to the creation, powers and duties of the Franchise Tax Board, by amending Sections 17003 and 23031 of the Revenue and Taxation Code and adding Part 10 to Division 3 of Title 2 of the Government Code, comprising Sections 15700, 15701, and 15702, and by repealing Chapter 1188 of the Statutes of 1949.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 416**—An act to add Section 17310.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—31.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 428**—An act to add Section 24121f.1 to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 417**—An act to amend Sections 17316, 17317, 17321.3, 17321.5, 17321.7 and 17357 of, and to add Section 17321.9 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Assembly Bill No. 418**—An act to amend Section 17721 of, and to add Sections 17360, 17724.1 and 17784.8 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 419**—An act to amend Section 17122 of, and to add Sections 17324.18, 17697.1, 17727 and 17729 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 420**—An act to add Sections 17125.9 and 17746.5 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 421**—An act to amend Section 17748 of, and to repeal Section 17672 of, and to add Sections 17672, 17672.1, 17672.2, 17672.3, 17672.4 and 18586.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Parkman.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 430**—An act to amend Section 25071g of, and to repeal Section 25035 of, and to add Sections 25035, 25035a, 25035b, 25035c and 25675 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 422**—An act to add Section 17746.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 423**—An act to amend Sections 18434, 18470, 18472 and 18477 of, and to add Sections 17690.8 and 18586.4 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 424**—An act to amend Sections 17732 and 17733 of, and to add Sections 17719.1 and 17728 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Busch.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Thompson, Ward, and Way—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 426**—An act to amend Sections 17813, 18132.12, 18163, and 18402 of, and to add Section 18402.5 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 427**—An act to add Sections 23733a and 23734a to the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 429**—An act to amend Section 24181 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Way—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 431**—An act to amend Sections 17053.5, 17319.5, 17951, 17952.1, and 17954 of, and to add Sections 17019.9 and 17019.10 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Waud, and Way—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 434**—An act to amend Section 18691.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, and Way—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 435**—An act to repeal Section 18692 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 437**—An act to amend Sections 18831 and 19111 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, and Way—30.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 438**—An act to add Section 19053.9 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, and Way—31.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 447**—An act to amend Sections 17055, 17508, 17513, 18132.7, 18173, 18215, 18648, 18689, 18884, 19053.3, 19056 and 19083, and to renumber Section 17788, of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, and Way—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 445**—An act to amend Sections 23038, 23039, 23186, 23251, 23854, 23854.1, 23881, 23911g, 24121a, 24121k.1, 24121k.5, 24121q, 24181b, 24181f, 25031f, 25031j, 25038, 25071, 25071q, 25101a, 25102, 25121a, 25122, 25201a, 25294a, 25295, 25902, 25961, 26080.3, 26163, 26253, and 26481, and to amend and renumber Section 25555a, and to renumber Sections 25031f-1 and 25071r-1, and to repeal Sections 25555 and 26481a of the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act takes effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, and Way—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 433**—An act to add Section 18586.3 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Way—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.25 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1306**

Senator Collier moved that Senate Bill No. 1306 be withdrawn from Committee on Local Government for purpose of amendment and referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1306**—An act to amend Sections 254.5, 255, 405, 407, 441, 448, 467, 565, 569, 616, 647, 751, 753, 754, 755, 756, 757, 758, 759, 791, 1603, 1647, 1833, 1834, 1839, 1905, 1906, 2001, 2192, 2907, 2908.3, 2909, 2910, and 2922 of the Revenue and Taxation Code, Sections 29040, 29067, 29070, 29071, 29073, 29074, 29080, 29091, 19171, 43002, 43033, 43065, 43091, 43092, 43093, and 54902 of the Government Code, and Sections 6301, 6302, 6304, 6305, 6306, 6331, and 6361 of the Education Code, relating to county, city, and district finance, budgets, and property taxes.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out all of line 1 after "amend"; and strike out all of lines 2, 3, and 4.

**Amendment No. 2**

In line 6 of the title of said bill, strike out "43002, 43003, 43065, 43091," and insert "and".

**Amendment No. 3**

In lines 6 and 7 of the title of said bill, strike out "43093, and 54902".

**Amendment No. 4**

In line 8 of the title of said bill, strike out "6331," and insert "6334, 6352,".

**Amendment No. 5**

On page 1 of said bill, strike out all of lines 1 to 20 inclusive; strike out all of pages 2, 3, 4, 5, and 6; and on page 7, strike out all of lines 1 to 26, inclusive.

**Amendment No. 6**

On page 7, line 27, of said bill, strike out "SEC. 35", and insert "SECTION 1".

**Amendment No. 7**

On page 7, line 29, of said bill, strike out "March", and insert "April".

**Amendment No. 8**

On page 7, line 40, of said bill, strike out "36", and insert "2".

**Amendment No. 9**

On page 7, line 46, of said bill, strike out "37", and insert "3".

**Amendment No. 10**

On page 7, line 48, of said bill, strike out "March 31st", and insert "April 30th".

**Amendment No. 11**

On page 7, line 50, of said bill, strike out "38", and insert "4".

**Amendment No. 12**

On page 7, line 52, of said bill, strike out "April", and insert "May".

**Amendment No. 13**

On page 8, line 8, of said bill, strike out "39", and insert "5".

**Amendment No. 14**

On page 8, line 9, of said bill, strike out "April", and insert "May".

**Amendment No. 15**

On page 8, line 15, of said bill, strike out "40", and insert "6".

**Amendment No. 16**

On page 8, line 16, of said bill, strike out "April", and insert "May".

**Amendment No. 17**

On page 8, line 27, of said bill, strike out "41", and insert "7".

**Amendment No. 18**

On page 8, line 28, of said bill, strike out "April", and insert "May".

**Amendment No. 19**

On page 8, line 33, of said bill, strike out "42", and insert "8".

**Amendment No. 20**

On page 8, line 35, of said bill, strike out "April 30", and insert "June 1".

**Amendment No. 21**

On page 8, line 42, of said bill, strike out "43", and insert "9".

**Amendment No. 22**

On page 8, line 48, of said bill, strike out "March", and insert "April".

**Amendment No. 23**

On page 9 of said bill, strike out all of lines 5 to 31, inclusive.

**Amendment No. 24**

On page 9, line 32, of said bill, strike out "48", and insert "10".

**Amendment No. 25**

On page 9, line 34, of said bill, strike out "April", and insert "May".

**Amendment No. 26**

On page 9 of said bill, strike out all of lines 39 to 49, inclusive.

**Amendment No. 27**

On page 10, line 1, of said bill, strike out "51", and insert "11".

**Amendment No. 28**

On page 10, line 3, of said bill, strike out "March", and insert "April".

**Amendment No. 29**

On page 10, line 44, of said bill, strike out "52", and insert "12".

**Amendment No. 30**

On page 10, line 49, of said bill, strike out "last preceding", and insert "current".

**Amendment No. 31**

On page 11, line 7, of said bill, strike out "last preceding", and insert "current".

**Amendment No. 32**

On page 11, line 28, of said bill, strike out "53", and insert "13".

**Amendment No. 33**

On page 11, line 32, of said bill, strike out "15th", and insert "20th".

**Amendment No. 34**

On page 11, line 33, of said bill, strike out "March", and insert "April".

**Amendment No. 35**

On page 11, line 36, of said bill, strike out "54", and insert "14".

**Amendment No. 36**

On page 11, lines 43 and 44, of said bill, strike out "twentieth", and insert "thirtieth".

**Amendment No. 37**

On page 11, line 44, of said bill, strike out "March", and insert "April".

**Amendment No. 38**

On page 11, line 46, of said bill, strike out "55", and insert "15".

**Amendment No. 39**

On page 11, lines 47 to 50, inclusive, of the printed bill, strike out "eighth day of April, or on or before the tenth day of April in the case of a school district in which there is an average daily attendance of more than 10,000" and insert "first day of June".

**Amendment No. 40**

On page 12, line 12, of said bill, strike out "fifteenth day of April", and insert "tenth day of June".

**Amendment No. 41**

On page 12, line 18, of said bill, strike out "56", and insert "16"; and strike out "6331", and insert "6634".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 42**

On page 12 of said bill, strike out all of lines 19 to 25, inclusive, and insert "6334. Except in districts where no district tax is levied and in elementary districts employing but one teacher, the publication budget for the ensuing school year to which it is intended to apply, showing the functions and objects of expenditure, cash balances, and all the appropriations from the State as required to be tabulated in Sections 6301-6302 of this code for the ensuing and last preceding fiscal year, and the district tax requirement for the school year to which the publication budget is intended to apply and for the last preceding school year, shall be published by the county superintendent of schools at least once in a newspaper of general circulation published within the district, or if there is no newspaper in the district, then in a newspaper published nearest to the district, prior to its adoption. The cost of the publication shall be a proper and legal charge against the school district or districts for which the publication is made, and shall not exceed the rate fixed by the board of supervisors for official advertising. Publication shall be made during the [last] *second* week in [July] *May* of each year, and shall contain a notice that a public hearing will be held before the governing board of the school district, in a schoolhouse in the district, or in some other place conveniently accessible to the residents of the district, during the [first] *third* week [of August] *in May*, at which any taxpayer in the district may appear and object to the proposed budget or any item of the budget. The hearing may be concluded on such publication budget when there are no requests on file for further hearing. The budget shall not be finally adopted by the governing board of the district until after the public hearing has been held.

SEC. 18. Section 6352 of said code is amended to read:

6352. He shall determine this amount by deducting from the total estimated needs of the school district as shown by its budget the total estimated income of the school district from all sources other than a school district tax for the [current] *ensuing* school year as estimated in the budget. The remainder, if any, shall be the minimum amount of the school district tax to be levied by the board of supervisors for the particular school district."

**Amendment No. 43**

On page 12, line 26, of said bill, strike out "57", and insert "19".

**Amendment No. 44**

On page 13, line 12, of said bill, strike out "58", and insert "20".

**Amendment No. 45**

On page 13, line 18, of said bill, strike out "59", and insert "21".

**Amendment No. 46**

On page 13, line 19, of said bill, strike out "upon", and insert "during".

**Amendment No. 47**

On page 13, line 20, of said bill, strike out all of lines 20 to 29, inclusive, and insert "feet."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 953

Senator Cunningham moved that Senate Bill No. 953 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 953**—An act to add Section 768.5 to, and to repeal Section 3546 of, the Public Utilities Code, relating to safety requirements applicable to highway common carriers, petroleum irregular route carriers, and petroleum contract carriers.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 768 and 1062 and to repeal Section 3546 of the Public Utilities Code, and to amend Section 602 of the Vehicle Code, relating to safety requirements applicable to the operation of highway carriers."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 768 of the Public Utilities Code is amended to read:

768. The commission may, after a hearing, by general or special orders, rules, or otherwise, require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers, and the public, and may prescribe, among other things, the installation, use, maintenance, and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices at grade crossing or junction and block or other systems of signaling, establish uniform or other standards of construction and equipment, and require the performance of any other act which the health or safety of its employees, passengers, customers, or the public may demand. *Nothing in this section shall be construed to authorize the regulation of the safety of operation of vehicles used for the transportation of property upon the public highways.*

SEC. 2. Section 1062 of said code is amended to read:

1062. The commission may:

- (a) Supervise and regulate every highway common carrier and petroleum irregular route carrier in this State.
- (b) Fix the rates, fares, charges, classifications, and rules of each such carrier.
- (c) Regulate the accounts [,] and service [, and safety of operations] of each such carrier, and require the filing of annual and other reports and of other data by such carriers.
- (d) Supervise and regulate such carriers in all other matters affecting the relationship between them and the shipping public.

The commission, by general order or otherwise, may prescribe rules applicable to any and all highway common carriers and petroleum irregular route carriers. The commission, in the exercise of the jurisdiction conferred upon it by the Constitution of this State and by this part, may make orders and prescribe rules affecting highway common carriers and petroleum irregular route carriers, notwithstanding the provisions of any ordinance or permit of any city, city and county, or county, and in case of conflict between any such order or rule and any such ordinance or permit, the order or rule of the commission shall prevail.

SEC. 3. Section 3546 of said code is repealed.

SEC. 4. Section 602 of the Vehicle Code is amended to read:

602. Limitation on Driving Hours for Certain Persons. (a) No person shall drive upon any highway any vehicle designed or used for transporting persons for compensation for more than 10 consecutive hours nor for more than 10 hours spread



over a total of 15 consecutive hours. Thereafter, such person shall not drive any such vehicle until eight consecutive hours have elapsed.

(b) No person shall drive upon any highway any vehicle designed or used for transporting merchandise, freight, materials or other property for more than 12 consecutive hours nor for more than 12 hours spread over a total of 15 consecutive hours. Thereafter, such person shall not drive any such vehicle until eight consecutive hours have elapsed.

(c) This section [does not apply] *applies* to any person driving any vehicle used [in] for the transportation of [persons or] property [as a common carrier for compensation] *upon the public highways*.

(d) This section does not apply in any case of casualty or unavoidable accident or an act of God.

(e) In computing the number of hours hereunder, any time spent by a person in driving such a vehicle outside this State shall, upon such vehicle entering this State, be included.

(f) Any person who violates any provision of this section is guilty of a misdemeanor and is punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Utilities.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 465

Senator Cunningham moved that Senate Bill No. 465 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 465**—An act to create the Alcoholic Beverage Control Commission and providing for the licensing, regulation, and control of the manufacture, transportation, sale, purchase, possession, and disposition of alcoholic beverages.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Chapter 1.5 to Division 9 of the Business and Professions Code, relating to the licensing, regulation, and control of the".

#### Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive, and all of page 2, and insert

"SECTION 1. Chapter 1.5 is added to Division 9 of the Business and Professions Code, to read:

#### CHAPTER 1.5. ADMINISTRATION

#### Article 1. The Department of Alcoholic Beverage Control

23050. There is in the State Government a Department of Alcoholic Beverage Control. The department shall be administered through a director who shall be known as the Director of Alcoholic Beverage Control. He shall be appointed by and serve at the pleasure of the Governor and shall receive an annual salary of ----- dollars (\$-----).

23051. On and after January 1, 1955, the department shall succeed to all of the powers, duties, purposes, responsibilities, and jurisdiction now conferred on the State Board of Equalization under Section 22 of Article XX of the State Constitution and this division, except the power to assess and collect such excise taxes as are or may be imposed by law on account of the manufacture, importation, and sale of alcoholic beverages in this State, which shall remain the exclusive power of the State Board of Equalization.

**Article 2. The Alcoholic Beverage Commission**

23075. The Alcoholic Beverage Commission is hereby created. The commission shall consist of three members and shall be appointed by the Governor with the advice and consent of the Senate. The commission shall be appointed from the State at large. The term of office of each commissioner shall be six years, except the commissioners first appointed hereunder, one of whom shall be appointed to hold office until January 1, 1956, one until January 1, 1958, and one until January 1, 1960. An appointment to a vacancy occurring before the expiration of a term shall be for the remainder of that term. The governor may at any time remove a member of the commission for cause. The salary of each member of the commission shall be ----- dollars (\$-----) a year.

23076. The commission shall adopt rules for the administration of this division by the department, not inconsistent with the provisions of this division. General policies for the conduct of the department shall be formulated by the commission. The director of the department shall be guided by such policies and shall be responsible to the commission for the administration of the department.

The enforcement of this division, and all rules and administrative policies shall be uniform throughout the State.

23077. The director shall be the appointing power of all employees within the department, and all heads of divisions, bureaus, and other employees in the department shall be responsible to the director for the proper carrying out of the duties and responsibilities of their respective positions. The commission may employ a secretary, but neither the commission nor such secretary shall have or be given any powers in relation to the administration of the department.

23078. The act of a majority of the commissioners when in session as a commission shall be deemed to be the act of the commission.

SEC. 2. All persons in the state civil service employed on July 1, 1954, in the State Board of Equalization in carrying out functions transferred to the Department of Alcoholic Beverage Control by this act are transferred to the staff of the department and retain their respective positions in the state civil service, subject to the provisions of Article XXIV of the Constitution, and laws continued in force thereby or adopted pursuant thereto.

SEC. 3. On and after January 1, 1955, the unencumbered balance of all money available for expenditure by the State Board of Equalization in carrying out any functions transferred to the Department of Alcoholic Beverage Control by this act, shall be made available for the support and maintenance of the department, and all books, documents, records and property of the State Board of Equalization relating to such functions, shall be transferred to the department.

SEC. 4. This act shall take effect January 1, 1955, if prior thereto a constitutional amendment is adopted ratifying its provisions."

Amendments read, and adopted

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 5**

Senator Cunningham moved that Senate Constitutional Amendment No. 5 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 5**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX thereof, relating to alcoholic beverages.

Resolution read.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, lines 1 and 2, of the printed measure, strike out "Alcoholic Beverage Commission", and insert "Department of Alcoholic Beverage Control".

**Amendment No. 2**

On page 2, line 10, of said measure, strike out "commission", and insert "department".

**Amendment No. 3**

On page 3 of said measure, strike out lines 3 and 4, and insert "That certain act adding Chapter 1.5 to Division 9 of the Business and Professions Code, relating to the licensing, regulation, and control".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 530**

Senator Harold T. Johnson moved that Senate Bill No. 530 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 530**—An act to add Section 170 to the Vehicle Code, relating to special license plates.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 and 4, and insert "Licensees. Any person holding an unexpired amateur radio station license, other than a novice station license, issued".

**Amendment No. 2**

One page 1, line 10, of said bill, after "radio", insert "station".

**Amendment No. 3**

On page 1, line 14, of said bill, strike out "and may", and insert "upon the applicant's showing of satisfactory proof that he is the holder of such an unexpired license, and may, in addition to the regular annual registration fee,".

**Amendment No. 4**

On page 1, line 15, of said bill, strike out "one dollar (\$1)", and insert "three dollars (\$3)".

**Amendment No. 5**

On page 1, line 21, of said bill, after "ment.", insert "The department shall not issue more than one set of special plates for any licensed amateur radio station."

**Amendment No. 6**

On page 1, line 22, of said bill, strike out "March", and insert "August".

**Amendment No. 7**

On page 1, line 23, of said bill, after "county", insert "and the chief of police of each incorporated city".

**Amendment No. 8**

On page 1, line 27, of said bill, strike out "the sheriffs of the State", and insert "said sheriffs and chiefs of police".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 757**

Senator Abshire moved that Senate Bill No. 757 be withdrawn from Committee on Public Health and Safety for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 757**—An act to add Part 7 to Division 5 of the Labor Code, comprising Sections 7800 to 7804, inclusive, relating to flammable substances.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 4, and insert

**"PART 7. VOLATILE FLAMMABLE LIQUIDS**

7800. "Volatile flammable liquids" as used in this part means any petroleum or liquid product of petroleum or natural gas having a flash point below 100 degrees Fahrenheit, and includes any petroleum or liquid product of petroleum or natural gas while at a temperature above its flash point. Flash points shall be as determined by means of the Tag Closed Tester, Designation 156-36 American Society for Testing Materials, or the Pensky-Martens Closed Tester, Designation D93-42 American Society for Testing Materials.

7801. "Industrial Safety Board" as used in this part means the Industrial Safety Board of the Division of Industrial Safety, Department of Industrial Relations, State of California.

7802. The Industrial Safety Board shall adopt general orders pursuant to Section 6500, to make effective the provisions of this part.

7803. Every employer who engages in any business requiring any employee to handle or use any volatile flammable liquid or to work in the close proximity of any such liquid in sufficient quantity and under conditions affording opportunity for the person or clothing becoming ignited shall provide adequate means of extinguishment whereby such employee may extinguish flames on his person or clothing.

7804. The provisions of this part are subject to Section 6414."

**Amendment No. 2**

On page 1 of said bill, strike out lines 6 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 526**

Senator Thompson moved that Senate Bill No. 526 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 526**—An act to amend Section 26472 of the Health and Safety Code, relating to adulterated foods.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 3, of the printed bill, as amended in Senate March 11, 1953, strike out "which is"; and strike out lines 4 to 7, inclusive, and insert "except those approved by the State Department of Public Health."

**Amendment No. 2**

On page 2, line 16, of said bill, as amended, after "(g)", insert "Notwithstanding the provisions of Section 26461,".

**Amendment No. 3**

On page 2, line 25, of said bill, as amended, after "spice oils," insert "flavorings,".



**Amendment No. 4**

On page 2, line 26, of said bill, as amended, after "meat", insert "food".

**Amendment No. 5**

On page 2, line 27, of said bill, as amended, strike out "ham", and insert "hams".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1542**

Senator Sutton moved that Senate Bill No. 1542 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1542**—An act to add Section 1253.5 to the Water Code, relating to appropriation of water.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "permits and licenses hereafter issued for the appropriation of water in water surplus areas so that

(a) the watershed or area wherein the water originates, and the area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein;

(b) no exchange of the water of any watershed or area for the water of any other watershed or area in which the exchange is made are first and at all times met and satisfied to the extent that the requirements would have been met were the exchange not made, and no right to the use of water shall be gained or lost by reason of any such exchange.

As used in this section "water surplus areas" means the north coastal drainage area and that portion of the central valley drainage area north of Merced and Mariposa Counties. The provisions of this section are intended to provide for the full and ultimate needs of such areas."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1654**

Senator Hatfield moved that Senate Bill No. 1654 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1654**—An act to amend Section 35454 of the Water Code, relating to California water districts.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 35454 of", and insert "add Sections 35401.5, 35408, and 35409 to".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert "SECTION 1. Section 35401.5 is added to the Water Code, to read: 35401.5. A district may control, distribute, store, spread, sink, treat, purify, recapture and salvage any water including sewage and storm waters for the beneficial use or uses of the district or its inhabitants or the owners of rights to waters therein.

SEC. 2. Section 35408 is added to said code, to read: 35408. A district may commence, maintain, intervene in, compromise, and assume the costs of any action or proceeding involving or affecting the ownership or use of waters or water rights within the district used or useful for any purpose of the district or of benefit to any land.

SEC. 3. Section 35409 is added to said code, to read: 35409. A district may commence, maintain, intervene in, defend, and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural or artificially created subterranean supply of waters which may:

- (a) Be used or be useful for any purpose of the district.
- (b) Be of common benefit to the land or its inhabitants.
- (c) Endanger the inhabitants or the land."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1657**

Senator Hatfield moved that Senate Bill No. 1657 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1657**—An act amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11411, 11416, 12510, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20023, 20082, 20083, 20084, 20085, 20086, 20625, 20820, 23196, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the title of Article 1 of Chapter 2, Division 1, the title of Article 5 of Chapter 3, Part 4, Division 5, the title of Article 6, Chapter 1, Part 3, Division 6, the title of Article 2, Chapter 3, Part 8, Division 12, the title of Chapter 4 of Part 1, Division 14, the title of Article 4 of Chapter 1, Part 5, Division 14, and the title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 126, 127, 128, 130, 131, 133, 134, 135, 136, 143, 145, 146, 1360, 12543, 20034, and Articles 2, 3 and 4 to Chapter 2, Division 1, the title to Chapter 3, Division 1, the title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 6001, 6050, 6051, 8305, 8698, 8699, 11412, 11413, 11554, 20544, 20545, and 39029 of, the Water Code, amending Sections 4001, 11041, 12040, 12543, 13370, 14005, 14033, 14255,

14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14035, 14036, and 14037, and Article 2, Chapter 2, Part 5, Division 3, Title 2, of, the Government Code, and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514), creating a Department of Water Resources and providing for the regulation of water resources, all relating to state administration of water resources.

Bill read second time.

#### Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

#### Amendment No. 1

On page 8, line 22, of the printed bill, as amended in Senate March 10, 1953, strike out "ninety (90)" and insert "90".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 106  
Assembly Bill No. 491  
Assembly Bill No. 496  
Assembly Bill No. 615  
Assembly Bill No. 621  
Assembly Bill No. 622  
Assembly Bill No. 623  
Assembly Bill No. 672

Assembly Bill No. 837  
Assembly Bill No. 864  
Assembly Bill No. 1159  
Assembly Bill No. 1662  
Assembly Bill No. 2001  
Assembly Bill No. 2237  
Assembly Bill No. 2521  
Assembly Bill No. 3386

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 106**—An act to amend Section 13841.1 of the Education Code, relating to salaries of certificated employees.

Referred to Committee on Education.

**Assembly Bill No. 491**—An act to repeal Section 1601.5 of the Education Code, relating to formation and changes in territory and status of school districts.

Referred to Committee on Education.

**Assembly Bill No. 496**—An act to add Section 13831.1 to the Education Code, relating to salaries of persons employed by a school district in positions requiring certification qualifications.

Referred to Committee on Education.

**Assembly Bill No. 615**—An act to amend Sections 53633, 53641, 53642, 53649, 53650, 53662, 53669, and 53679 of the Government Code, relating to deposit of public funds in banks.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 621**—An act to amend Sections 796.1, 796.2, 828.83, and 829.1 of and to add Section 796.6 to the Agricultural Code, relating to fruit and vegetable standards and containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 622**—An act to add Section 829.9 to the Agricultural Code, relating to standards for fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

**Assembly Bill No. 623**—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts, or vegetables.

Referred to Committee on Agriculture.

**Assembly Bill No. 672**—An act to add Section 4445 to the Public Resources Code, relating to surveys of soils, vegetation, and forest products on forest, range, and watershed lands.

Referred to Committee on Natural Resources.

**Assembly Bill No. 837**—An act to add Section 1253.5 to the Water Code, relating to the appropriation of water.

Referred to Committee on Water Resources.

**Assembly Bill No. 864**—An act to amend Section 4121 of the Health and Safety Code, relating to garbage disposal districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1159**—An act to amend Section 18730 of the Business and Professions Code, relating to boxing contests, and sparring or wrestling matches.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1662**—An act to amend Section 11587 of the Business and Professions Code, relating to omission of signatures of owners of certain types of interests upon subdivision maps.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2001**—An act to amend Section 54414 of the Government Code, relating to the powers and duties common to cities, counties, and other agencies.

Referred to Committee on Local Government.

**Assembly Bill No. 2237**—An act to amend Section 8253 of the Education Code, relating to instruction in the public schools.

Referred to Committee on Education.

**Assembly Bill No. 2521**—An act to amend Section 1829 of the Elections Code, relating to the posting of the results of school district elections.

Referred to Committee on Elections.



**Assembly Bill No. 3386**—An act to amend Section 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Natural Resources.

**Assembly Constitutional Amendment No. 20**—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding Section 8.1 to Article XI of said Constitution, relating to the framing of the charter by the City of Vernon, in the County of Los Angeles.

Referred to Committee on Local Government.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1  
Assembly Bill No. 267  
Assembly Bill No. 425  
Assembly Bill No. 686  
Assembly Bill No. 698  
Assembly Bill No. 706  
Assembly Bill No. 876  
Assembly Bill No. 944

Assembly Bill No. 1183  
Assembly Bill No. 1686  
Assembly Bill No. 1842  
Assembly Bill No. 2107  
Assembly Bill No. 2943  
Assembly Bill No. 3033  
Assembly Bill No. 3473

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 1**—An act to amend Section 2421 of, and to add Section 2421.5 to the Education Code, relating to school districts, and declaring the urgency thereof.

Referred to Committee on Education.

**Assembly Bill No. 267**—An act to amend Section 3208 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 425**—An act to add Section 18802.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 686**—An act to add Sections 20952.5 and 21264 to the Government Code, relating to the State Employees' Retirement System in respect to local safety members thereof.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 698**—An act to amend Section 28117 of the Government Code, relating to compensation of county officers.

Referred to Committee on Local Government.

**Assembly Bill No. 706**—An act to add Section 5522 to the Welfare and Institutions Code, relating to escape of sexual psychopaths.

Referred to Committee on Judiciary.

**Assembly Bill No. 876**—An act to amend Section 59 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) and Section 25630 of the Business and Professions Code, relating to sales on Election Day.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 944**—An act to amend Section 5416 of the Health and Safety Code, relating to sanitary conditions at construction sites.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1183**—An act to amend Section 5390 of the Streets and Highways Code, relating to the payment of assessments under the Improvement Act of 1911.

Referred to Committee on Local Government.

**Assembly Bill No. 1686**—An act to amend Section 53205 of the Government Code, relating to charges against funds of local agencies.

Referred to Committee on Local Government.

**Assembly Bill No. 1842**—An act to add Section 9.5 to the Metropolitan Water District Act, relating to metropolitan water districts and annexations thereto of corporate areas of municipalities as defined in paragraph (a) of Section 9 of said Metropolitan Water District Act, and exclusions of territory from such municipalities resulting from annexations of such territory therein to certain types of cities within metropolitan water districts, declaring severability of the provisions of this act, declaring the urgency thereof, to take immediate effect.

Referred to Committee on Local Government.

**Assembly Bill No. 2107**—An act to add Section 585.5 to the Vehicle Code, relating to authority of officers.

Referred to Committee on Transportation.

**Assembly Bill No. 2943**—An act to amend Sections 476 and 563 of, and to add Section 476.1 to, the Vehicle Code, relating to pedestrian traffic signals.

Referred to Committee on Transportation.

**Assembly Bill No. 3033**—An act to amend Section 4 of the Municipal Improvement Act of 1913 (Chapter 247 of the Statutes of 1913) and Section 10306 of the Streets and Highways Code, relating to the acquisition or construction of local improvements.

Referred to Committee on Local Government.

**Assembly Bill No. 3473**—An act to amend Section 377 of the Streets and Highways Code, relating to state highway routes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 30  
Senate Bill No. 31  
Senate Bill No. 32  
Senate Bill No. 111

Senate Bill No. 131  
Senate Bill No. 619  
Senate Bill No. 622

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

**LETTER OF TRANSMITTAL**

JOINT LEGISLATIVE COMMITTEE ON AGRICULTURE AND LIVESTOCK PROBLEMS  
SENATE, CALIFORNIA LEGISLATURE, March 16, 1953

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by S. C. R. 51 (Res. Ch. 141) Regular Session of 1945; continued by S. C. R. 4 (Res. Ch. 14) Regular Session of 1947; continued by S. C. R. 54 (Res. Ch. 193) Regular Session of 1949; and continued by S. C. R. 69 (Res. Ch. 221) Regular Session of 1951, submits a report upon the following subject:

"Need for Strengthening State Laws Relating to Hide and Brand Regulation."

This report concerns the work of the Bureau of Livestock Identification, California Department of Agriculture, and is accompanied by appropriate recommendations made as a result of the committee's hearings and study.

LLOYD W. LOWREY

GEO. A. CLARKE

SAM L. COLLINS

THOMAS M. ERWIN

STEWART HINCKLEY

JULIAN BECK

EARL D. DESMOND

GEORGE J. HATFIELD, Chairman

PAUL L. BYRNE

FRED WEYBRET

HAROLD J. POWERS

BEN HULSE

WM. W. HANSEN

**MOTION TO PRINT REPORT**

Senator Hatfield moved that the letter of transmittal be printed in the Journal, and the report submitted by the Joint Legislative Committee on Agriculture and Livestock Problems regarding "Need for Strengthening State Laws Relating to Hide and Brand Regulation" be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

**LETTER OF TRANSMITTAL**

SENATE, CALIFORNIA LEGISLATURE, March 23, 1953

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by S.C.R. 51 (Res. Ch. 141) Regular Session of 1945; continued by S.C.R. 4 (Res. Ch. 14) Regular Session of 1947; continued by S.C.R. 54 (Res. Ch. 193) Regular Session of 1949; and continued by S.C.R. 69 (Res. Ch. 221) Regular Session of

1951, submits the following special and partial report covering the committee's investigations and conclusions and recommendations on the subject of Brucellosis in Cattle.

Respectfully submitted,

WM. W. HANSEN  
GEO. A. CLARKE  
LLOYD W. LOWREY  
STEWART HINCKLEY  
SAM L. COLLINS  
BEN HULSE  
EARL D. DESMOND

GEORGE J. HATFIELD, Chairman  
PAUL L. BYRNE  
FRED WEYBRET  
THOMAS M. ERWIN  
HAROLD J. POWERS

#### MOTION TO PRINT REPORT

Senator Hatfield moved that the letter of transmittal be printed in the Journal, and the report submitted by the Joint Legislative Committee on Agriculture and Livestock Problems regarding "Brucellosis in Cattle" be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

#### LETTER OF TRANSMITTAL

JOINT LEGISLATIVE COMMITTEE ON AGRICULTURE AND LIVESTOCK PROBLEMS  
SENATE, CALIFORNIA LEGISLATURE, March 16, 1953

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by S.C.R. 51 (Res. Ch. 141) Regular Session of 1945; continued by S.C.R. 4 (Res. Ch. 14) Regular Session of 1947; continued by S.C.R. 54 (Res. Ch. 193) Regular Session of 1949; and continued by S.C.R. 69 (Res. Ch. 221) Regular Session of 1951, submits a partial report of that committee upon the following subject:

Enforcement of state laws relating to agricultural pest control operators and use of injurious materials.

Respectfully submitted,

LLOYD W. LOWREY  
GEORGE A. CLARKE  
SAM L. COLLINS  
THOMAS M. ERWIN  
STEWART HINCKLEY  
EARL D. DESMOND

GEORGE J. HATFIELD, Chairman  
PAUL L. BYRNE  
FRED WEYBRET  
HAROLD J. POWERS  
BEN HULSE  
WILLIAM W. HANSEN

#### MOTION TO PRINT REPORT

Senator Hatfield moved that the letter of transmittal be printed in the Journal, and the report submitted by the Joint Legislative Committee on Agriculture and Livestock Problems regarding "Enforcement of State Laws Relating to Agricultural Pest Control Operators and Their Use of Injurious Materials" be printed in the Appendix to the Journal, and 1,500 additional copies be printed for distribution.

Motion carried.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which was referred: Senate Bill No. 69

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 10; committee vote: Ayes 8; absent 2.

BUSCH, Chairman

Above reported bill ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 1149

Senate Bill No. 1572

Assembly Bill No. 1902

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 8; absent 2.

BUSCH, Chairman

Above reported bills ordered to second reading.

**Committee on Social Welfare**

## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Assembly Bill No. 41

Assembly Bill No. 1837

Assembly Bill No. 1492

Assembly Bill No. 1890

Assembly Bill No. 1785

Assembly Bill No. 2683

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DORSEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1605

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

DORSEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 492

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

DORSEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 1476

Assembly Bill No. 920

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

DORSEY, Chairman

Above reported bills ordered to second reading.

**Committee on Transportation**

## SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1061

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 10; noes 1; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 558

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; noes 4; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: Your Committee on Rules has examined:

**Senate Bill No. 49**—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 125**—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 14, and declaring the urgency thereof;

**Senate Bill No. 405**—An act to amend Section 13399 of, and to add Section 13399.5 to, the Health and Safety Code of California, relating to the installation and operation of dry-cleaning machines employing chlorinated hydrocarbon types of cleaning solvent;

**Senate Bill No. 546**—An act to amend Section 7604 of the Public Utilities Code, relating to the sounding of a locomotive bell or whistle;

**Senate Bill No. 1085**—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1953, at 3 p.m.

POWERS, Chairman

#### ADJOURNMENT

At 4.38 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, March 25, 1953.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-THIRD LEGISLATIVE DAY

FORTY-THIRD CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, March 25, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary Sweigart, daughter of Senator Desmond, and her young sons William, Robert and Daniel; Mrs. Stell Wymore of Hermosa Beach; Mrs. Carl Danelson of Santa Monica; and Mrs. A. E. Hartman of Sacramento.

On request of Senators Tenney and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Jerome J. Richard of Paris.

On request of Senators O'Gara and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. R. D. Williams, U.S.N., Comdr. R. B. Reed, U.S.N.R., Lt. Cmdr. R. W. Lohman, U.S.N.R., Lt. Cmdr. C. E. Mason, U.S.N.R., Lt. W. T. Starnes,

U.S.N.R., all of the Twelfth Naval District Staff, and Cmdr. J. C. Chevalier, U.S.N.R., of Sacramento.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Albin of San Jose; Advisors Miss Linton and Mr. Hunter and the following students of Abraham Lincoln High School: Jack Boyce, John Camou, Gene France, Arlene Kunkel, Marianne Lawrence, Betty Mabey, Jean Paul, Bob Saunders, Lorelie Traut, Carol Hale, Dale Cowley, Charles Ashby, Gene Barrington, Louise Gildea, Nancy Haggarty, Paul Goulding, Jack Normandin, Jack Havey, Jack Graf, Richard Kehma, Pat Burch, Pat Palma, Margaret Espizito, Roger Engler, Jean Devich, Willis Beal, Jim Williams, Gayle Smally, Dave Gonzales, Marilyn Drews, Andrea Rodrigues, Susan Barker, Pat Wright, Bob Chartrand, Mary Jo Elliot, Janet Hipp, Barbara Lester, Connie Liemas, Rick Ross, Sue Bistline, Marge Bradley, Don Anger, Marge Irwin, Carolyn Stelling, Arlene Spitzer, Ann Weatherbie, Jane Giesler, Pete Meckel, Arnold Lamb, Elinore Johnson, Julie Hemphill, Joan Perusse, Jack Hawes, Bill Poe, Barbara Nerell, and Eleanore Sanfillipo.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. W. W. Robbins, Mr. L. M. Meredith, Kennon R. Gilbert, Mrs. W. T. Casey, Mrs. Walter Rudy, and Mrs. Henry Casero, all of Santa Rosa.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. E. K. Stafford of Nelson, Butte County, Calif.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Lincoln Mahan and Art Cohen of Santa Rosa.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Sister Mary Constance and the following students and their parents of the Eighth Grade St. Basil's Civics Club, Vallejo: Students Garry Anderson, Gary Annoni, Phil Avellar, Jack Bruni, Bill Chavez, James Costello, Michael Cunningham, Terry Curtola, Robert Desmond, James Doyle, James Duncan, Roland Freitas, Michael Gholson, George Hamill, Ralph Harris, John Knight, Daniel Leary, Thomas McDonald, Kenneth Mielke, Robert Moelk, Gary Raymos, Bill Siebert, Philomena Blankenship, Belinda Bonamy, Patricia Byrne, Henrietta Cocchi, Yvonne Crawford, Nadine Data, Patricia Delsman, Teresa Flegge, Louise Fitzgerald, Sue Higgins, Diane Humphrey, Margie H. Jones, Winifred McAbeer, Sylvia McClard, Joan McDonald, Sharronn McQuady, Joan Millerick, Colleen Mitchell, Betty Ann Moore, Laurel Pritchett, Sharon Sieve, Patricia Silveira, Rosemary Silvestri, Jacqueline Valado, Barbara Walthard, and Sally Whitesides; Parents—Richard Armbrust, Mr. Antone Valado, Mrs. E. Millerich, Mrs. G. Anderson, Mrs. P. Bonamy, Mrs. Silvestri, Mrs. Brower, Mrs. Jones, Mrs. L. Desmond, and Mr. Mitchell.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elsie Byrne, wife of Senator Byrne of Butte.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Kent



Seymour and Mr. John Welch of Mill Valley, and Mr. Price Bolton of San Anselmo.

On request of Senators Miller and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roma Burnett Bishop and Mrs. E. N. Brown of Berkeley.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal William L. Sipes and the following students of Mt. View School: Lamona Veenendall, Patricia Schaub, Richard Furtado, Jack Cooper, Kathy Santos, Lidia Fulvio, Dilmus King, Robert White, Patricia Daggs, Phillip McDaniel, Alan Patzer, Barbara Darnaby, Raymond Crawford, Oliver McNutt, and Jennifer King; adults—Mr. and Mrs. Dilmus King, and Carman Turner.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Peter Echeverria and Paul Garwood of Reno, Nevada.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adults Mrs. Patterson, Miss McCarty, Mrs. Jiminez, Mr. Schueller, Mr. Sullivan, Edison B. Ayres, John Jigour, Mrs. J. W. Sullivan, Oscar Linstrum and the following Eighth Grade students of the Edendale School and the David D. Bohannon School: *David D. Bohannon School*—Pat Biehn, Emma Bitting, Florence Brown, Jowilla Cullar, Bonnie Falkenburg, Joyce Harrop, Lou Ann Hicks, Rose Larsen, Pat Laudenslager, Shirley Reyes, Fay Rodrigues, Barbara Sprague, Mary Weems, Barbara White, Jimmie Bickner, Kent Blackford, Teddy Burkhardt, Mark Daley, Arden Duvall, Alan Grundell, John James, Kenneth Lukins, Larry McGeorge, George Minami, Edwin Powers, William Redd, Bill Stark, Tommy Stewart, and Roger Strohlein; *San Lorenzo School*—Spencer Archer, Jean Ataide, Barbara Blake, Tyler Brown, Joan Costello, Nettie Damato, Pat Daughters, Grover Devine, Dan Druge, Carroll Eakle, Mike Fitzgerald, Mary Frodsham, Elaine Gomez, John Gragg, Keet Hamilton, Irene Hermoso, Noreen Klock, Val Lee, Don Madrid, Rivers McAuley, Irene McKee, Sherry Miller, La Verne Morgado, Loretta Musgrove, Jackie Newman, Gary Olson, Rosetta Osborne, Beverly Past, Russell Ream, Nancy Ryon, Don Silva, Lorna Smith, Bob Steelsmith, Sandra Styles, Dale Swafford, Brenda Tate, and Malcolm Tunison.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Dolson, teacher, and the following adult students in Americanization of Mostest City Schools: Costas Arhontes, Mrs. Anna Boodrokas, Miss Noheme Coronado, Mariano Dandoy, Mrs. Domenica Gentile, Miss Herta Hunnefeld, H. Itano, Harry Kiyoi, Jim Maltezos, Mrs. Stella Mitrakis, Y. Nakao, Mrs. Mary Ribeiro, Mrs. Mary Rocha, Mrs. Theodora Samares, Mrs. Evangele Samios, Mrs. Hana Shibusawa, Ieichi Shibusawa, Louis Smiros, Norman Wilbur, Mrs. Norman Wilbur, Peter Wilbur, Linda Wilbur, Mrs. Grace Wilhite, Arnold Yuen, Mrs. Bow Kee Young, Manual Bettencourt, Anthony Moitoza, Mrs. Anthony Moitoza, Mrs. Mary Sai, Miss Ann Sai, John Luiz, Mrs. John Luiz, Mrs. Emily F. Fagundes, Joe Stallone, and Mrs. Helen Van Hoff.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adults Mrs. Bonham, Mrs. Serviss, and Leader Mrs. Collis, and the following Brownie Troop No. 22: Kathleen Kuster, Carol Downie, Marilyn Collis, Patty Jean Lewis, Robinette Hauptman, Karren Rudy, Elaine Rafferty, Shirley Smith, Linda Serviss, Dianne Moon, Bonny Varness, Fern Evans, Kathy Bonham, Marilyn Wilhelm, Alta Gray, Joanne Johnson, Dusty Baker, Grace Perry, Rodney Serviss, Kenny Collis, and Jack Bonham, Jr.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Olga Peterson of South Pasadena.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Fulwider, auditor, and Charles Ackley, treasurer, Sonoma County.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 2342

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 251

Senate Bill No. 645

Senate Bill No. 758

Senate Bill No. 1268

Senate Bill No. 1271

Senate Bill No. 1272

Senate Bill No. 1273

Senate Bill No. 1274

Senate Bill No. 1275

Senate Bill No. 1277

Senate Bill No. 1278

Senate Bill No. 1656

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 91

Senate Bill No. 702

Senate Bill No. 771

Senate Bill No. 772

Senate Bill No. 773

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 762

And reports the same correctly engrossed.

POWERS, Chairman

#### CONSIDERATION OF DAILY FILE

##### SECOND READING OF SENATE BILLS

**Senate Bill No. 555**—An act to amend Section 2842 of the Elections Code, relating to county central committees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1010**—An act to amend Sections 11712, 11713, 11714, 11715, 11715.6, and 11715.7 of the Health and Safety Code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "11715.6,".

**Amendment No. 2**

In line 2 of the title of said bill, after "of", insert ", to add Section 11715.8 to, and to repeal Section 11715.6 of,".

**Amendment No. 3**

On page 1 of said bill, strike out lines 12 to 15, inclusive, and insert "United States or of this or any other state, the previous conviction of the felony shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or ad-".

**Amendment No. 4**

On page 2 of said bill, strike out lines 9 to 12, inclusive, and insert "any other state, the previous conviction of the felony shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or admitted by the defendant, he".

**Amendment No. 5**

On page 3 of said bill, strike out lines 9 to 19, inclusive, and insert "SEC. 5. Section 11715.6 of said code is repealed."

**Amendment No. 6**

On page 3 of said bill, strike out lines 29 to 32, inclusive, and insert "United States or of this or any other state, the previous conviction of the felony shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or ad-".

**Amendment No. 7**

On page 3 of said bill, between lines 43 and 44, insert

"SEC. 7. Section 11715.8 is added to said code, to read:

11715.8. In no case shall any person convicted of a second, third, or subsequent offense referred to in Sections 11712, 11713, 11714, or 11715 be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court. Such person shall not be eligible for parole until he has served at least two-thirds of the minimum sentence for the offense of which he was convicted."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 69**—An act to amend Section 5012 of the Public Resources Code, relating to public highways in state parks.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Senate on March 3, 1953, after "Commission", insert a period; and strike out all of remainder of lines 8, 9, 10, and 11.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**Senate Bill No. 1149**—An act to amend Section 5549 of the Public Resources Code, relating to the powers and duties of the district manager of a regional park district.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1572**—An act to add Section 5072.5 to the Public Resources Code, relating to the abandonment of easements acquired for riding and hiking trails, and flood purposes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1605**—An act to repeal Section 1552.4 of the Welfare and Institutions Code and to add Section 1552.4 to said code, relating to aid to needy children.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

##### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "unable", and insert "financially incapable".

##### Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "in every possible way and shall report to him the facts which concern", and insert "and shall report to him all information contained in the case record which concerns the question of nonsupport and".

##### Amendment No. 3

On page 1, lines 12, 13 and 14, of said bill, strike out "The district attorney shall keep the county welfare department informed as to any action taken by him", and insert "The district attorney shall immediately investigate the question of nonsupport and shall take all steps necessary to obtain support for the needy child. The district attorney shall report regularly to the board of supervisors on the progress of his efforts."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 492**—An act to amend Section 3431 and to repeal Section 3432.1 of the Welfare and Institutions Code, relating to the residence requirements for aid to the partially self-supporting blind residents.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

##### Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "at least five years within the last nine years", and insert "a period of 10 years".

##### Amendment No. 2

On page 1 of said bill, after line 12, insert

"Sec. 3. Section 3431.1 is added to said code, to read:

3431.1. During such times as the residence requirements of Section 3043 are in effect with respect to Chapter 1 of this division, aid shall be granted under provision of this chapter to any person otherwise eligible who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of such application."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.



**Senate Bill No. 1476**—An act to amend Sections 75, 76, and 83 of the Unemployment Insurance Act, relating to the Department of Employment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Act", insert "and to amend Sections 302, 304, 311, and 351, and repeal Sections 303 and 314 of the Unemployment Insurance Code,".

**Amendment No. 2**

On page 1 of the printed bill, strike out lines 12 to 16, inclusive, and insert "pleasure of the Governor. The annual salary of the director shall be as provided for by Chapter 6 of Part 1, Division 3, Title 2, of the Government Code.

The director shall appoint such assistants as he may find necessary for the administration".

**Amendment No. 3**

On page 1, line 28, of said bill, strike out "90".

**Amendment No. 4**

On page 2, line 22, of said bill, strike out "The director shall be an ex officio"; and strike out line 23.

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 5**

On page 2 of said bill, after line 23, insert

"SEC. 5. Section 302 of the Unemployment Insurance Code is amended to read:

302. The director shall be appointed by the Governor, subject to the approval of the Senate, [from the membership of the Commission.] and shall [serve as director] *hold office* at the pleasure of the Governor [and without additional compensation]. *The annual salary of the director shall be as provided for by Chapter 6 of Part 1, Division 3, Title 2, of the Government Code.*

SEC. 6. Section 303 of said code is repealed.

SEC. 7. Section 304 of said code is amended to read:

304. The director shall exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all purposes vested by law in the commission, and wherever in this division the term "commission" is used it shall be construed to mean "director" or the "department" as the context requires except that the powers, duties, and responsibilities provided in Sections 352, 353, 354, 981, [and] 2604, 3264, and 3265 of this code are retained in the commission and shall be exercised by a majority of its members in meetings open to the public.

SEC. 8. Section 314 of said code is repealed.

SEC. 9. Section 311 of said code is amended to read:

311. The director shall appoint such [assistance] *assistants* [except personnel of the Appeals Division] as he finds necessary for the administration of this division, subject to the provisions of the Government Code, and may delegate to any of the officers or employees of the department such powers and duties as he considers necessary for the proper administration of this division.

SEC. 10. Section 351 of said code is amended to read:

351. There is in the State Government the California Employment Stabilization Commission consisting of five members, who shall be the three members of the Appeals Board and [the Chief of the Division of Public Employment Offices and Benefit Payments and the Chief of the Division of Accounts and Tax Collections] *two members to be appointed by the Governor.*

SEC. 11. Sections 5, 6, 7, 8, 9, and 10 of this act become operative only if the Unemployment Insurance Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said code takes effect, at which time Sections 75, 76 and 83 of the Unemployment Insurance Act as amended by this act, is repealed."

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Social Welfare.

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the term "highway right-of-way."

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the issuance of the Golden Gate Bridge and Toll Revenue to the State Highway System, the maintenance and operating thereof by the State, and providing that the California Toll Bridge Authority shall have the governing body of the Golden Gate Bridge and Highway Trust.

Bill read second time.

Motion to Re-refer Senate Bill No. 558

Senator McGowan moved that Senate Bill No. 558 be re-referred to Committee on Finance.

Motion carried.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1596**—An act to amend Sections 12, 13, 14, 15, 25, and 26 of the Stanislaus County Flood Control and Water Conservation District Act of 1949 (1949 Statutes of California), relating to the taxing power, issuance of bonds, and financing for flood control projects, including the power thereof to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Conservation:

#### Amendment No. 1

To change Section 12 of the previous bill, as amended on Assembly March 6, 1955, under the following heading: "and amend Section 25 and the Committee of the Assembly to amend Stanislaus County Flood Control and Water Conservation District."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1402**—An act to codify certain statutes relating to farmers, by adding Chapters 3, 7, 5, and 10 to Division 4 of the Public Resources Code, and repealing certain statutes specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 41**—An act to amend Section 2045 of the Welfare and Institutions Code, to repeal Section 21829 of said code, and to add Section 21810 to said code, relating to aid to the aged.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1492**—An act to amend Section 2585 of the Health and Safety Code, relating to physically handicapped children.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1735**—An act to amend Section 6652 of the Welfare and Institutions Code, relating to charges for services furnished by the Department of Mental Hygiene.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1837**—An act to amend Sections 5125, 5126, 5127, and 5128 of the Welfare and Institutions Code, relating to jury trials of mentally ill persons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1890**—An act to codify Chapter 1384 of the Statutes of 1945, relating to the relief of hardship and destitution, by adding Chapter 5, comprising Sections 2800 to 2904, inclusive, to Division 4 of the Welfare and Institutions Code, and repealing Chapter 1384 of the Statutes of 1945.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2683**—An act to repeal Chapter 363 of the Statutes of 1913 and Section 6625 of the Welfare and Institutions Code, relating to the asexualization of idiots and fools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 920**—An act to amend Sections 6651 and 6658 of the Welfare and Institutions Code, relating to charges for the care and treatment of patients of state hospitals for the mentally ill in the Department of Mental Hygiene.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

##### Amendment No. 1

On page 2, line 16, of the printed bill, strike out “, or”, and insert “against any person, guardian or relative liable for such transportation. The department also may in its own name bring an action”.

##### Amendment No. 2

On page 2, lines 20 and 21, of said bill, strike out “transportation.”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1403**—An act to amend Section 6537 of the Business and Professions Code, relating to admission to barber colleges.

##### Motion to Re-refer Senate Bill No. 1403

Senator Kraft moved that Senate Bill No. 1403 be re-referred to Committee on Business and Professions.

Motion carried.

**Senate Bill No. 1353**—An act to amend Sections 799 and 802 of the Agricultural Code, relating to grapes.

##### Motion to Refer Bill to Inactive File

Senator Burns moved that Senate Bill No. 1353 be placed on the inactive file.

Motion carried.

**Senate Bill No. 758**—An act to amend Sections 3, 12, 16, 19, 22, 26, and 28 of, and to add Sections 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, and 30.17 to, the Sonoma County Flood Control and Water Conservation District Act (Chapter 994 of the Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, and Weybret—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.55 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1268**—An act to repeal Chapter 426 of the Statutes of 1923, relating to water conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Ward, Way, and Weybret—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1271**—An act to repeal Chapter 346 of the Statutes of 1909, relating to swamp land, levee or reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1272**—An act to repeal Chapter 629 of the Statutes of 1873-4, relating to Swamp Land No. 150 District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Ward, and Weybret—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1273**—An act to repeal Chapter 1100 of the Statutes of 1939, relating to storm drain maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Regan, Tenney, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1274**—An act to repeal Chapter 479 of the Statutes of 1923, relating to the Santa Clara County Irrigation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Ward, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1275**—An act to repeal Chapter 822 of the Statutes of 1921, relating to the Santa Clara County Irrigation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Ward, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1278**—An act to repeal Chapter 792 of the Statutes of 1927, relating to the Bayside Reclamation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1656**—An act to amend Section 35951 of the Water Code, relating to California water districts and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, and Weybret—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 91**—An act to amend Sections 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 41, 44, 45, 48, 50, 51, 52, 57, 64, 68, 69, and 74 of, to add Sections 1, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 to, and to repeal Sections 1, 1.1, 1.2, 1.3, 1.4, 1.5, 8, 11, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, and 70 of, the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 702**—An act to add Sections 981.6, 981.8, and 981.14 to the Military and Veterans Code, relating to educational benefits for veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 251**—An act to amend Section 928 of the Penal Code, relating to county grand juries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—33.

NOES—Senators Dilworth and Montgomery—2.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 645**—An act to add Sections 17403.2 and 17403.3 to the Financial Code, relating to escrow instructions to escrow agents under the Escrow Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 773**—An act to amend Sections 5093 and 6013 of, and to add Section 6011.6 to, the Insurance Code, relating to county mutual insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 771**—An act to amend Sections 6070 and 6071 of the Insurance Code, relating to county mutual insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 772**—An act to amend Section 6047 of the Insurance Code, relating to county mutual insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 761**—An act to add Section 525.3 to the Vehicle Code, relating to the operation of motor vehicles on the highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

Bill read third time.

**Motion to Re-refer Senate Bill No. 762**

Senator Grunsky moved that Senate Bill No. 762 be re-referred to Committee on Judiciary.

Motion lost.

**Previous Question**

Senator Tenney moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 762.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Byrne, Collier, Dilworth, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Weybret, and Williams—26.

**NOES**—Senators Breed, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Grunsky, McBride, McCarthy, and Way—10.

**Motion to Reconsider**

Senator Desmond moved to reconsider the vote whereby Senate Bill No. 762 was passed.

**Postponement of Reconsideration**

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 762 was passed, was continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1891**—An act to amend Section 5952 of the Labor Code and to repeal Section 9 of Chapter 606 of the Statutes of 1951, relating to judicial review of orders, decisions or awards of the Industrial Accident Commission.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1929**—An act to codify Chapter 23 of the Statutes of 1949 by repealing said chapter and adding Chapter 3 to Division 1 of the Water Code, relating to water shortage emergencies.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 1928**—An act to codify Chapter 1677 of the Statutes of 1951 by repealing said chapter and adding Chapter 4 to Division 1 of the Water Code, relating to the regulation and licensing of interferences or attempts to interfere by artificial means with the natural condensation of rain, snow, water or moisture in any form contained in the atmosphere.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1927**—An act to codify Chapter 641 of the Statutes of 1937 by repealing said chapter and adding Chapter 3 to Part 1 of Division 5 of the Water Code, relating to the transfer by counties and cities to flood control districts of storm drain improvements, drainage improvements and drainage systems.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1899**—An act to codify Chapter 1215 of the Statutes of 1941, relating to the protection of domestic water supplies from pollution by placer mining operations, by adding Chapter 6.5 to Division 2 of the Public Resources Code, and repealing Chapter 1215 of the Statutes of 1941.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1177**—An act to amend Section 7 of the Los Angeles County Flood Control Act, relating to the issuance of bonds, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, E. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Sutton, Tenney, Ward, and Weybret—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1555**—An act to amend Sections 11716 and 11716.1 of, and to add Sections 11716.3 and 11716.4 to, the Insurance Code, and to amend Section 4 of Chapter 14 of the Statutes of 1953, relating to insurance.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, and Weybret—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

**Assembly Concurrent Resolution No. 46**

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 46**—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of March, 1953.

#### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 46, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 46

**Assembly Concurrent Resolution No. 46**—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of March, 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, and Weybret—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.50 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 15**

Senator McBride moved that Senate Bill No. 15 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 15**—An act to amend Section 5801 and to repeal Article 10, Chapter 7, Division 4 of, and to add Chapter 12 to Division 4 of, the Education Code, relating to vocational rehabilitation.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend the chapter heading of Chapter 7 of Division 3 of, to amend Section 5801 of, to amend and renumber Section 5841 of, to repeal Sections 5803, 5804, 5805, and 5806, Articles 2 and 3 of Chapter 7 of Division 3, and Article 10 of Chapter 7 of Division 4 of, and to add Sections 5803 to 5805, inclusive, and Chapter 12 to Division 4 of, the".

**Amendment No. 2**

On page 1 of said bill, strike out line 1, and insert  
"SECTION 1. The chapter heading of Chapter 7 of Division 3 of the Education Code is amended to read:

**CHAPTER 7. VOCATIONAL REHABILITATION FEDERAL FUND**

SEC. 2. Section 5801 of the Education Code is amended".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1 of said bill, strike out lines 8 and 9, and insert

"SEC. 3. Sections 5803, 5804, 5805, 5806, Articles 2 and 3 of Chapter 7 of Division 3, and Article 10 of Chapter 7 of Division 4 of said code are repealed.

SEC. 4. Sections 5803 to 5805, inclusive, are added to the Education Code, to read:  
5803. The Vocational Rehabilitation Federal Fund in the State Treasury is hereby created. All grants of money received by this State from the United States, the expenditure of which is administered under the provisions of Chapter 12 of Division 4, shall, on order of the State Controller, be deposited in the Vocational Rehabilitation Federal Fund.

5804. All money in the Vocational Rehabilitation Federal Fund is hereby appropriated to the State Department of Education, without regard to fiscal years, for expenditure for the purposes for which the money deposited therein is made available by the United States for expenditure by the State.

5805. The Director of Finance and the State Controller may approve any general plan whereby:

(a) Any expenditures which are a proper charge against money made available by the United States and deposited in the Vocational Rehabilitation Federal Fund may be paid in the first instance from any appropriation from the General Fund, expenditures from which are administered under the provisions of Chapter 12 of Division 4; and

(b) The General Fund shall be reimbursed for expenditures made therefrom that are a proper charge against the Vocational Rehabilitation Federal Fund.

Such a general plan may provide for advance transfers from the Vocational Rehabilitation Federal Fund to the General Fund, basing all estimates of such expenditures that will be subject to reimbursement from the Vocational Rehabilitation Federal Fund pursuant to such plan, and may provide for reimbursements to the Vocational Rehabilitation Federal Fund, when necessary.

Request for reimbursement or transfer pursuant to such a plan shall be furnished to the State Controller in writing by the Department of Education, accompanied by such financial statements as the plan may provide; and on order of the State Controller, the required amount shall be transferred in accordance therewith.

SEC. 5. Section 5841 of said code is amended and renumbered to read:

[5841] 5806. Money in the Vocational Rehabilitation Federal Fund shall be expended as provided by this article, [paid out by the State Treasurer on warrants drawn by the Controller] as requisitioned by the Department [State Board] of Education in carrying out the provisions of this code relating to vocational rehabilitation, the federal act, the rules and regulations of the State Board of Education [board]."

#### **Amendment No. 4**

On page 1, line 10, of said bill, strike out "3", and insert "6".

#### **Amendment No. 5**

On page 1, line 15, of said bill, insert

"9850. It is the public policy of this State to encourage and assist physically and mentally handicapped persons to achieve the maximum degree of self-support, and for that purpose to make adequate provision for such services as will enable them to prepare for and engage in remunerative employment to the maximum extent of their capabilities. This policy should be carried out by strengthening the existing program of vocational rehabilitation, by adding such services as will enable the greatest number of disabled persons to become self-supporting, and by the establishment of this service upon an adequate legal basis in the laws of this State."

#### **Amendment No. 6**

On page 2 of said bill, strike out lines 9 and 10, and insert "through public or private instrumentalities, provided to an impaired individual to compensate for his employment".

#### **Amendment No. 7**

On page 2, line 16, of said bill, strike out "capital advances".

#### **Amendment No. 8**

On page 2 of said bill, strike out lines 48 to 51, inclusive; and on page 3, strike out lines 1 to 10, inclusive.

#### **Amendment No. 9**

On page 3 of said bill, strike out lines 11 to 15, inclusive, and insert

"9864. An "industrial rehabilitation workshop" means an establishment that is operated for the primary purpose of providing remunerative employment, prevocational, exploratory, employment training or conditioning for employment to persons who cannot be absorbed in the competitive labor market due to physical or mental handicaps. Employment may be offered through the manufacture and sale of products by the workshop or through the subcontracting of work from other government agencies or from private industry. Handicapped persons employed in such workshops shall be paid wages based upon the unit value of the work produced comparable to the wages paid in private industry for similar units of work."

#### **Amendment No. 10**

On page 3, line 16, of said bill, strike out "9866", and insert "9865".

#### **Amendment No. 11**

On page 3 of said bill, strike out line 25, and insert

"9891. The State Board of Education shall administer this chapter through the Department of Education."

#### **Amendment No. 12**

On page 3, lines 29 and 30, of said bill, strike out "The Chief of the Bureau shall be directly responsible to the Director."

#### **Amendment No. 13**

On page 4, line 12, of said bill, after "Departments", insert "subject to usual budgetary controls".

#### **Amendment No. 14**

On page 4 of said bill, strike out lines 28 to 38, inclusive, and insert

"9931. Vocational Rehabilitation services shall be provided any disabled individual 16 years of age or over:

(a) For whom it has been determined vocational rehabilitation may be satisfactorily achieved;



(b) Who has resided within the State for one year, or who is eligible therefor under terms of an agreement with another state or the Federal Government;

(c) Who is found to be in financial need with respect to rehabilitation services, except that counseling, vocational training, and job placement shall be made available without regard to financial need."

#### Amendment No. 15

On page 4 of said bill, strike out lines 39 to 50, inclusive, and insert

"SEC. 7. All money in the Vocational Rehabilitation Fund on the effective date of this act shall be disposed of as follows:

(a) All money in said fund that was derived from money appropriated by the State from the General Fund, the expenditure of which is administered under the provisions of Chapter 12 of Division 4 of the Education Code, shall, on order of the State Controller, be transferred from the Vocational Rehabilitation Fund to the General Fund, and shall be credited to the appropriation in the latter fund from which such money was originally derived. The unexpended balance of each such General Fund appropriation shall continue to be available for expenditure for the purposes for which such appropriation was made, and shall be subject to all of the provisions making such appropriation.

(b) All money in the Vocational Rehabilitation Fund that was derived from grants of money received by the State from the United States, the expenditure of which is administered through or under the provisions of Chapter 12 of Division 4 of the Education Code, shall, on order of the State Controller, be transferred from the Vocational Rehabilitation Fund to the Vocational Rehabilitation Federal Fund, and shall be available for expenditure from the latter fund, without regard to fiscal years, for the purposes for which it is made available by the United States."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 76

Senator Brown moved that Senate Bill No. 76 be withdrawn from Committee on Revenue and Taxation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 76**—An act to amend Sections 17786, 17813, 17817, 25121a, and 25121c of, and to add Sections 17314.5, 17314.7, 17784.7, 17784.8, 24121i.1, 24121i.2, 25101a.1, and 25101a.2 to, the Revenue and Taxation Code, relating to personal income and bank and corporation taxation, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Brown moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 14, of the printed bill, strike out "sand, gravel,".

#### Amendment No. 2

On page 5, line 3, of said bill, strike out "sand, gravel,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 790

Senator Williams moved that Senate Bill No. 790 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 790**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "do", and insert "shall".

**Amendment No. 2**

On page 2, line 4, of said bill, after "rig", insert "or airplane crop duster".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1658

Senator Burns moved that Senate Bill No. 1658 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1658**—An act to amend Section 35602 of the Water Code, relating to California water districts.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 34403 to and to amend Section 35305 of the Water Code, relating to".

**Amendment No. 2**

In line 2 of the title of said bill, after "districts", insert "and declaring the validity of the election of officers and directors thereof".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"**SECTION 1.** Section 34403 is added to the Water Code, to read:  
34403. The board shall at the time of calling the formation election for the proposed district, prescribe the procedure for nominating candidates for the offices to be filled at that election.

**SEC. 2.** Section 35305 of said code is amended to read:

35305. The by-laws may be repealed or amended or new by-laws adopted by the assent of two-thirds of the total vote of the district, given either in writing or by ballot cast at a [district] special election.

*The by-laws may also be amended by a three-fifths vote of the directors and approval of the board of supervisors of the principal county.*

**SEC. 3.** Where any person has been elected to be an officer or director of a California water district organized and operating under the provisions of Division 13 of the Water Code, and holds such office on the effective date of this act, such officers and

directors are hereby declared to be validly elected and to be validly serving in such office; all acts of such officers and directors are hereby legalized, ratified and confirmed and declared valid for all intents and purposes."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1535

Senator Donnelly moved that Senate Bill No. 1535 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1535**—An act to amend Sections 16424, 16440, and 16474 and to add Article 6 to Chapter 3 of Part 4 of Division 4 of Title 2 of the Government Code, relating to the investment, or reinvestment of all state funds, and the purchase, sale, or exchange of any investments or securities of or for any funds or accounts under the control of the State or of any of its agencies, creating the State Investment Board and prescribing its powers and duties, and abolishing the Retirement Investment Board.

Bill read second time.

##### Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

##### Amendment No. 1

In line 6 of the title of the printed bill, as amended in Senate March 12, 1953, strike out "all".

##### Amendment No. 2

In line 7 of the title of said bill, strike out "any".

##### Amendment No. 3

In line 8 of the title of said bill, strike out "any".

##### Amendment No. 4

In line 9 of the title of said bill, strike out "any".

##### Amendment No. 5

In lines 11 and 12 of the title of said bill, strike out ", and abolishing the Retirement Investment Board".

##### Amendment No. 6

On page 2 of said bill, strike out lines 19 to 22, inclusive, and insert "State Controller, and the Director of Finance."

##### Amendment No. 7

On page 2 of said bill, strike out lines 36 and 37, and insert "the board. The State Investment Officer shall receive such annual salary as is fixed by the board, with the approval of the Department of Finance."

##### Amendment No. 8

On page 2 of said bill, strike out lines 40 to 44, inclusive, and insert "16495.4. The board shall have charge of and supervise the investment and reinvestment of state funds, and the purchase, sale, or exchange of, or for, funds or accounts under the control of the State or of its agencies, as provided in this chapter."

##### Amendment No. 9

On page 2 of said bill, strike out lines 45 to 51, inclusive; on page 3, strike out lines 1, 2, and 3, and insert

"16495.5. In addition to succeeding to the investment powers heretofore vested in the Department of Finance and the State Treasurer by this chapter, the State Investment Board shall succeed to and exercise any other power and duty of the Department

of Finance or of the State Treasurer to invest and reinvest funds or accounts under the control of the State or of its agencies that is now vested by law in either of those officers."

**Amendment No. 10**

On page 3 of said bill, strike out lines 4 to 14, inclusive, and insert "16495.6. The State Investment Board shall also succeed to and be vested with the investment powers, functions, and duties of the following state agencies:

(a) Of the Department of Public Works with reference to investment of the State Highway Fund and as provided in the California Toll Bridge Authority Act.

(b) Of the Department of Veterans Affairs with reference to investment of the Veterans' Farm and Home Building Fund of 1943."

**Amendment No. 11**

On page 3 of said bill, strike out lines 20, 21, and 22.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 153**

Senator Regan moved that Senate Bill No. 153 be withdrawn from Committee on Natural Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 153**—An act to amend Section 4165 of the Public Resources Code, relating to disposal of inflammatory waste material.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 13, of the printed bill, strike out "completely".

**Amendment No. 2**

On page 2, line 14, of said bill, strike out "18 months", and insert "the following April 15".

**Amendment No. 3**

On page 2, line 15, of said bill, strike out "but", and insert "and".

**Amendment No. 4**

On page 2 of said bill, strike out lines 17 to 23, inclusive, and insert "the spread of fire; provided, however, at all times during the accumulation, the area surrounding such piles shall be cleared and kept clear of all inflammable vegetation and debris, including trees, snags, brush, grass, slash, and litter by either of the following methods: (a) to a distance of 150 feet from the periphery of the piles of waste material and all structures and lumber piles which are situated within 50 feet of said waste material piles, or (b) by a similar clearing surrounding the said waste material piles and said structures and lumber piles for a distance of 100 feet, provided there shall also be kept and maintained at all times a firebreak 10 feet or more in width cleared of all inflammable material and constructed in a continuous line surrounding the operation at a distance of not less than 50 feet nor more than 300 feet from the periphery of the clearing surrounding the operation, and provided further, that all snags and dead trees between the firebreak and the periphery of the clearing shall be felled. Said disposal by fire shall be a responsibility of the opera-".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 155**

Senator Regan moved that Senate Bill No. 155 be withdrawn from Committee on Natural Resources for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 155**—An act to amend Sections 4155 and 4156 of, and to add Section 4158 to the Public Resources Code, relating to fire fighting equipment.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 18, of the printed bill, insert "See Section 4158 in regard to portable power saws."

**Amendment No. 2**

On page 1, line 25, of said bill, strike out "a suitable box con-".

**Amendment No. 3**

On page 1 of said bill, strike out lines 26 and 27; and on page 2, strike out lines 1 to 4, inclusive, and insert "suitable and serviceable fire fighting tools in the following prescribed amounts, manner and location. Said tools shall be provided in a sealed box at each log landing at which logs are being currently collected or loaded. On slash disposal, construction on land clearing projects such a sealed box of tools shall be located at a point accessible to the crew in event of fire. Said sealed box shall contain seven shovels, three axes, one complete set of falling tools, two scraping tools, and one back-pack pump filled with water; provided, however, that where less than five men are employed on or near the specified operation, the tool box shall contain a minimum of four serviceable fire tools consisting of shovels, scraping tools, and one axe. In addition, each logging truck and tractor shall be equipped with one shovel; each pickup, automobile and rail speeder used in the operation shall be equipped with one shovel and one axe."

**Amendment No. 4**

On page 2, line 6, of said bill, strike out "woods", and insert "local".

**Amendment No. 5**

On page 2, line 14, of said bill, strike out "at least".

**Amendment No. 6**

On page 2, lines 15 and 16, of said bill, strike out "tractor-bulldozers for night fire fighting," and insert "at least one-half of the tractor-bulldozers used on the operation,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1067**

Senator Hoffman moved that Senate Bill No. 1067 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1067**—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 12 to 16, inclusive, and insert "club, the existence of which is authorized or approved by the board of trustees or other governing agency of a college or university."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1910**

Senator Desmond moved that Senate Bill No. 1910 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1910**—An act to amend Sections 1359 and 1362 of the Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "in".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1911**

Senator Desmond moved that Senate Bill No. 1911 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1911**—An act to amend Sections 1175, 1193, and 1194.5 of the Insurance Code, relating to insurance principles, practice and business and matters incidental thereto.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "investigated".

**Amendment No. 2**

On page 1 of said bill, strike out lines 7 to 10, inclusive, and insert "certified as legal investments for savings banks pursuant to Division 10 of the Water Code, or which the commissioner approves".

**Amendment No. 3**

On page 1 of said bill, strike out lines 20 to 23, inclusive, and insert "or which have been certified as legal investments for savings banks pursuant to Division 10 of the Water Code, or which the".

**Amendment No. 4**

On page 2 of said bill, strike out lines 6 to 9, inclusive, and insert "have been certified as legal investments for savings banks pursuant to Division 10 of the Water Code, or by any".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 470**

Senator Desmond moved that Senate Bill No. 470 be withdrawn from Committee on Agriculture for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 470**—An act to amend Section 576 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 576", and insert "add Article 2.5 to Chapter 6 of Division 4".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "milk and dairy products", and insert "frozen dairy products and imitations thereof".

**Amendment No. 3**

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Article 2.5 is added to Chapter 6 of Division 4 of the Agricultural Code, to read:

**Article 2.5. Prohibition of Imitation Frozen Dairy Products**

585. The products for which definitions and standards are presented by Article 1 of this chapter, and only those products, are frozen dairy products. The provisions of Section 441 do not apply to frozen dairy products.

586. It is unlawful to manufacture, process, freeze, handle, distribute or sell any substance, mixture, or compound intended for human consumption, which is made in imitation of, or which in any respect has the appearance or resemblance of, a frozen dairy product, unless such substance, mixture, or compound conforms to the standards established in Article 1 of this chapter for frozen dairy products.

587. While the provisions of Section 586 are in effect and operative the provisions of Article 2 of this chapter and the provisions of Sections 660, 661, 666, 668 and any other section relating to imitation ice cream and imitation ice milk shall be inoperative but such provisions are not repealed and if the effect and operation of Section 586 are stayed or suspended by an order of any court relating to any person or circumstance the provisions of Article 2 of this chapter and all provisions of this code relating to imitation ice milk and imitation ice cream shall be operative as to such person or circumstance during the period for which such stay or suspension endures.

588. If any provision of this article, or the application thereof to any person or circumstance, is held invalid, the remainder of this article, or the application of the provision to other persons or circumstances, shall not be affected thereby."

**Amendment No. 4**

On page 1 of said bill, strike out lines 2 to 17, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1091**

Senator Desmond moved that Senate Bill No. 1091 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1091**—An act to amend Section 736.13 of the Agricultural Code, relating to wholesale and retail prices for fluid milk and fluid cream and products thereof.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 736.13 of", and insert "add Section 4362.5 to".

**Amendment No. 2**

In the title of said bill, strike out lines 2 and 3, and insert "ing to dairy products."

**Amendment No. 3**

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Section 4362.5 is added to the Agricultural Code, to read: 4362.5. The term "distributor" as used in Section 4362 shall have, for the purposes only of the filing with the director of schedules and amendments thereto setting forth the prices at which cottage cheese is sold or offered or agreed to be sold, the same meaning as the term "distributor" in Section 4102."

**Amendment No. 4**

On page 1 of said bill, strike out lines 2 to 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 1346**

Senator Powers moved that Assembly Bill No. 1346 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)**

**Assembly Bill No. 1346**—An act to amend Section 4895 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time.

**Motion to Amend**

Senator Powers moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "district", insert "as provided in this article".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 25  
 Assembly Bill No. 95  
 Assembly Bill No. 486  
 Assembly Bill No. 926  
 Assembly Bill No. 956  
 Assembly Bill No. 959  
 Assembly Bill No. 960  
 Assembly Bill No. 970  
 Assembly Bill No. 1018  
 Assembly Bill No. 1019  
 Assembly Bill No. 1575  
 Assembly Bill No. 1644

Assembly Bill No. 1907  
 Assembly Bill No. 2030  
 Assembly Bill No. 2031  
 Assembly Bill No. 2032  
 Assembly Bill No. 2033  
 Assembly Bill No. 2344  
 Assembly Bill No. 2503  
 Assembly Bill No. 2855  
 Assembly Bill No. 2856  
 Assembly Bill No. 2958  
 Assembly Bill No. 3298

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 25**—An act to add Section 276.5 to the Vehicle Code, relating to the continuance of licenses of persons in the United States armed forces.

Referred to Committee on Transportation.

**Assembly Bill No. 95**—An act to amend Section 1160 of the Harbors and Navigation Code, relating to pilots.

Referred to Committee on Transportation.

**Assembly Bill No. 486**—An act to amend Sections 20017.5, 20025, 20038, 20060, 20130.2, 20165, 20230, 20307, 20360, 20361, 20390, 20393, 20523, 20609, 20653, 20656, 20680, 20681, 20682, 20683, 20804.5, 20894.5, 20931, 20932, 21021, 21025, 21205, 21250, 21251.15, 21261, 21296, 21298, 21331, 21335, 21364, and 21365 of the Government Code, to repeal Section 20631 thereof, and to add Sections 20010.5, 20134, 20166, 20302.5, 20339, 20651.5, 20810, 20811, 20812, 20860.5, 20894.7, 21261.5, and 21364.5 thereto, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 926**—An act to amend Sections 5226 and 5396 of the Streets and Highways Code, relating to special assessment proceedings.

Referred to Committee on Local Government.

**Assembly Bill No. 956**—An act to add Section 1732.8 to the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 959**—An act to amend Section 2071 of, and to add Section 2071.5 to the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 960**—An act to amend Section 1908 of the Harbors and Navigation Code, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

**Assembly Bill No. 970**—An act to add Section 21200.5 to the Corporations Code, relating to the powers of unincorporated nonprofit medical associations.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 1018**—An act to repeal Section 6093 of, and to add Sections 6081, 6082, 6083, 6093, 6093.1, 6093.2, 6093.3, and 6093.4 to the Harbors and Navigation Code, relating to the duties and powers of members of a harbor commission.

Referred to Committee on Transportation.

**Assembly Bill No. 1019**—An act to amend Section 6060 of the Harbors and Navigation Code, relating to compensation and expenses of harbor district commissioners.

Referred to Committee on Transportation.

**Assembly Bill No. 1575**—An act to add Sections 64, 103, and 104 to the Labor Code, relating to reciprocal agreements with other states for collection of wages.

Referred to Committee on Labor.

**Assembly Bill No. 1644**—An act to amend Section 11521 of the Government Code, relating to reconsideration of administrative decisions.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1907**—An act to amend Sections 71141, 71146, 71300, 72000, 72190, 72643, 72650, 72651, 72706, 72709, and 72715 of, and to add Sections 69584.5 and 69599.5 to, the Government Code, and to repeal Chapter 626 of the Statutes of 1919, Chapter 702 of the Statutes of 1931, and Chapter 263 of the Statutes of 1937, relating to the organization of courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2030**—An act to amend Sections 2606 and 2623 of the Revenue and Taxation Code, relating to the due date of the second half of taxes on real property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2031**—An act to amend Sections 123, 162, 2622, 2805, 2922, 3443, 4102, 4104.5, 4147, 4148, 4149, 4149.5, 4150, 4151, 4155, 4803, and 4834.5, of, and to add Sections 2612.5, 2910.5, 3798.1 and 4833 to, the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2032**—An act to amend Sections 2618, 2619, 2705, 2705.5, 4219, 4221, 4224, 4336 and 4337 of the Revenue and Taxation Code, relating to the delinquent date of the second installment of taxes on real property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2033**—An act to amend Sections 3358, 3359, 3701, 3797, and 3799 of the Revenue and Taxation Code, relating to notices required in the sale and deeding of tax-delinquent properties.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2344**—An act to amend Sections 34080, 34327, and 34328 of the Government Code, relating to the government of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 2503**—An act to add Sections 332.5, 334.6, 336.10, 336.11, 338, 338.1, 364.9, and 369 to, to amend Sections 331.8, 336.4, 336.6, 336.9, 337, 337.1, 337.2, 337.3, 337.4, 344.1, 346.1, 346.2, 348, 348.6, 348.8, 349.2, 349.4, 349.7, 349.8, 349.9, 360, 360.2, and 368 of, the Agricultural Code, and to repeal Sections 344.2, 344.3, 344.4, 344.5, 344.6, 360.3, and Article 16 of Chapter 2 of Division 3 of said code, all relating to hide and brand inspection and slaughter of cattle.

Referred to Committee on Agriculture.

**Assembly Bill No. 2855**—An act to amend Section 6249 of the Harbors and Navigation Code, relating to the powers of port districts.

Referred to Committee on Transportation.

**Assembly Bill No. 2856**—An act to amend Sections 6272 and 6274 of the Harbors and Navigation Code, relating to the powers of port districts.

Referred to Committee on Transportation.

**Assembly Bill No. 2958**—An act to amend Sections 315 and 319 of the Vehicle Code, relating to the authority of the Department of Motor Vehicles to suspend, revoke or issue probationary drivers' licenses.

Referred to Committee on Transportation.

**Assembly Bill No. 3298**—An act to add Section 25454.5 to the Government Code, relating to contracts for county construction.

Referred to Committee on Local Government.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Senate Bill No. 777

Respectfully reports the same back without recommendation and re-refer to Committee on Finance.

KRAFT, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 1507  
Assembly Bill No. 13  
Assembly Bill No. 2712

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:  
Senate Bill No. 1438

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Assembly Bill No. 1992

Assembly Bill No. 1993

Assembly Bill No. 1998

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 526

Senate Bill No. 1931

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

#### Committee on Education

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 785

Assembly Bill No. 86

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bills ordered to second reading.

#### Committee on Finance

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 1863

Assembly Bill No. 1889

Assembly Bill No. 1867

Assembly Bill No. 1896

Assembly Bill No. 1868

Assembly Bill No. 1897

Assembly Bill No. 1870

Assembly Bill No. 1908

Assembly Bill No. 1880

Assembly Bill No. 1924

Assembly Bill No. 1881

Assembly Bill No. 1925

Assembly Bill No. 1885

Assembly Bill No. 1926

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

HULSE, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1757

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 27

Assembly Bill No. 34

Assembly Bill No. 921

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 75

Senate Bill No. 133

Senate Bill No. 186

Senate Bill No. 278

Senate Bill No. 548

Senate Bill No. 549

Senate Bill No. 647

Senate Bill No. 658

Senate Bill No. 833

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 260

Senate Bill No. 1223

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 1053

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 547

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 138

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 2966

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

## Committee on Local Government

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 74

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1260

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 208

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Assembly Bill No. 410

Assembly Bill No. 851

Assembly Bill No. 2832

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1662

Assembly Bill No. 409

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 86

Assembly Bill No. 1895

Senate Bill No. 1434

Assembly Bill No. 1900

Assembly Bill No. 610

Assembly Bill No. 1930

Assembly Bill No. 1305

Assembly Bill No. 1960

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 868

Senate Bill No. 1806

Senate Bill No. 869

Senate Bill No. 1923

Senate Bill No. 870

Senate Bill No. 850

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 411

Senate Bill No. 674

Senate Bill No. 672

Senate Bill No. 675

Senate Bill No. 673

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

DESMOND, Chairman

Above reported bills ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 5; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 1433

Respectfully reports the same back without recommendation.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

**LETTER OF TRANSMITTAL**

SENATE, CALIFORNIA LEGISLATURE, March 25, 1953

*The President of the Senate*

*The Speaker of the Assembly*

*And Other Members of the Senate and Assembly*

The Joint Legislative Committee on Agriculture and Livestock Problems, created by S.C.R. 51 (Res. Ch. 141) Regular Session of 1945; continued by S.C.R. 4 (Res. Ch. 14) Regular Session of 1947; continued by S.C.R. 54 (Res. Ch. 193) Regular Session of 1949; and continued by S.C.R. 69 (Res. Ch. 221) Regular Session of 1951, submits without conclusions or recommendations the following special informational report covering the committee's hearings and investigation into the highly controversial and hotly debated subject of "Vesicular Exanthema of Swine (V. E.) and the Practice of Feeding Raw Garbage to Swine."

Respectfully submitted,

LLOYD W. LOWREY  
GEO. A. CLARKE  
THOMAS M. ERWIN  
WM. W. HANSEN

GEORGE J. HATFIELD, Chairman  
PAUL L. BYRNE  
FRED WEYBRET  
HAROLD J. POWERS  
BEN HULSE  
EARL D. DESMOND

**MOTION TO PRINT REPORT**

Senator Hatfield moved that the letter of transmittal be printed in the Journal, and the special report and appendix submitted by the Joint Legislative Committee on Agriculture and Livestock Problems regarding "Vesicular Exanthema of Swine and the Practice of Feeding Raw Garbage to Swine" be printed in the Appendix to the Journal, and 2,000 additional copies be printed for distribution.

Motion carried.

**ADJOURNMENT**

At 4:05 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1:30 p.m., Thursday, March 26, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-FOURTH LEGISLATIVE DAY

FORTY-FOURTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, March 26, 1953

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Montgomery, on motion of Senator McBride, due to legislative business.

Senator O'Gara, on motion of Senator McBride, due to legislative business.

Senator Brown, on motion of Senator Powers, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. F. Fox, Glen Ellen; Mrs. Miriam Phillips, Eldridge; Melvin Swanson, Sonoma; L. B. Shelley, Sonoma; and Mrs. Marie Wemmer of Sonoma.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Murray H. Boismith and Lee Palm of Los Angeles.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. M. Stephens of Los Angeles.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Vesta Maas, Mrs. Rosalie Cartwright, James Grubb, William Caven, Ewin England, and Emmett Coon, and the following students of the Durham Elementary School: Lawrence Allspaugh, Gale Anderson, Elmer Beers, Lester Bonner, Davy Caven, Joseph Chesson, George Cole, Gerald Henson, Robert Hunt, Lloyd Isham, William Isham, John Jugum, Joseph Jugum, Jimmy Luallen, Andrew Maas, George Mead, Jimmy Snowden, Herbert Stansbury, Vernon Strong, Gregory Yugrenes, Pat Atkinson, Fremant Fortier, Floyd Hendryx, Jimmy Pickler, James Stolp, Gwendolyn Bailey, Beatrice Bradshaw, Lelia Ballard, Beverly Crumpler, Susan Gage, Patricia Hall, Jacqueline Johnson, Wilma Matlock, Judy Miller, Wanda Odom, Dorothy Prescott, Patricia Pyle, Grace Tate, Jackie Speegle, Carol Wheelock, Connie Weinreich, Alleta Kendall, Trema Coopridge, Annette Mangham, Betty Perry, Barbara Sellars, and Shirley Pickler.

On request of Senator James J. McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Sprague, state president, Esther Atmore, Mrs. Dorothy McGinnis, Kenneth McGinnis, L. S. Laney, all members of the California Society of Psychiatric Technicians.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Charles Houlihan of Oakland.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mr. Daniel and Alice Malliet and the following students of Oakley Union School: Mary Ambrosino, Manuel Bameles, Evelyn Clements, Pauline Collins, Joann Davilla, Joe Duarte, Louis Fernandez, Arlen Gasten, Marry Harris, Gerald Kennedy, Thirsia Lane, Bill Lunsford, Frank Mallett, Ralph Mendoza, Carol Osburn, Phyllis Pato, Richard Ribeiro, Raymond Ribeiro, Alfred Roquemore, Henry Salas, Donald Scarfo, Jaynell Stevens, Ednad Van Brunt, Louis Villa, Edna Waller, Beth Whitten, Roy Yingling, Roberta Alvis, Gloria Ball, Wayne Bell, Robert Bryant, Ronald Canada, Donald Cole, Leon Conness, Reba Coppedge, Donald Crandell, Edward Domingo, Rose Garcia, David Gilbert, Clyde Hawkins, James Hayes, Shirley Henry, Richard Hingley, Lloyd Hummel, Bonnie Knauss, Alice Luna, Robert McDaniels, Alice Ordonez, Gail Patrick, Billie Jean Phillips, Gerene Place, Harold Reed, Barbara Sossaman, Sharon Strickland, Judy Thatcher, Mary Torrez, Connie Villa, Janet Anderson, Jessie Barrera, Patsy Blevins, William Broderick, Jack Bryant, Norman Crowell, Ronnie Davis, Shirley Dodd, Lee England, Darlene Graham, Dorothy Holland, Jean Lovelace, Patsy Mendoza, Shirley McFarland, Donna Nevers, Victor Pato, June Pringle, Fern Reece, Ronald Ribeiro, Alonzo Riley, Bobby Remmers, Mary Salas, Christine Saucedo, Raymond

Scott, Ronnie Secrest, Robert Shrader, Alice Silveira, and Talmadge Williams.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher August C. Leal, and Students Sharon Blakeman, Talletha Reed, Robert Raymundo of the Cressey School, Cressey; Teachers Mrs. Florence Grunden, Keith Cakebread, William Graham, School Nurse Mrs. Francis Towerly, and the following students of the Livingston Union Elementary School, Livingston: Wayne Decker, Louis Herrera, Benny Garcia, Albert Mazzei, Tommy McGowen, Dean Peckham, Moses Sapien, Marvin Thon, Manuel Torres, Lawrence Trujillo, Joe Worden, Maria Cortez, Jenny Domingues, Julia George, Jessie Herrera, Thais Kishi, Mary Lou Miller, Angie Moreno, Patricia Mull, Priscilla Pollock, Joanne Stephenson, Irma Davis, Margie Koehn, Marion Ratley, Annie Granados, David Linan, Charles Bugg, Henry Friesen, Augustine Garcia, Robert Garcia, Billy Hanna, Jerry Hawkins, Phillip Logan, Marvin Martin, William Rodrigues, Jerry Rushing, Ferd Schroeder, Joe Torres, Robert Vieker, Ramona Apodaca, Peggy Bledsoe, Patricia Mesa, Esther Navarro, Rosie Perez, Cayrol Santos, Carolyn Shaw, Joyce Tibone, Peggy Trujillo, James Koehn, Bulah Bynum, Grant Blevins, Joey Aja, Joe Cardenas, Harold Coleman, Glen Denny, Jimmy Garcia, Richard Herrera, Kenneth Hicks, William Hudson, Jerry Jantz, Gilbert Saldana, Jack Tabor, Leon Slayter, Theresa Aguilar, Ymelda Aragon, Marilyn Freed, Arleen Glasow, Beatrice Linan, Janie Nightengale, Mary Pulido, Geraldine Wiens, Frank Hawksworth, Georgia Davis, Jo Ann Frago, and Betty Wilson.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of Waverly Elementary School's Eighth Grade: Donna Blake, Pamela Codog, Lilia Cortopassi, Carmen Finkbohner, Georgia Anne Horsley, Juanita McLean, Jane Holt, Elaine O'Neil, Marilyn Kuster, Marjie Peralta, Madalyn Machado, Jodeanne Savio, Margaret Pruden, Joye Tinsley, Walter Emery, Kenneth Fregien, Robert King, Mike Palladino, John Perez, and Michael Tait.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sponsors Leslie H. Maffey, Serafin Noia, John H. Bond, and the following students of the Alvarado School: Frances Alvarez, Frank Angulo, Artemisa Apodaca, Anthony Aranda, Sally Avendano, Frank Avila, Ramona Barrera, Isabel Bueno, Barbara Cicairos, Virginia Corrales, Patricia Flores, Jesus Gonzalez, Barbara Jones, Martha Lopez, Timmie Louie, Mary Martinez, Mary Melena, Connie Moreno, Patricia Noia, Susan Preciado, Louis Rigmaiden, Lucile Rigmaiden, Thomas Rigmaiden, LeRoy Salido, John R. San Fillippo, Melvin Silva, Joseph Tenorio, Gonzalo Torres, Rosemarie Urrutia, Manuel Vasquez, Thomas Villegas, and Beverly Ratekin.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Helen Hartong, Parent Mrs. Lee Wigby, and the following students of the Arcade School Fourth Grade: Connie Adams, Dinora Arbor, Lynda Baker, Patricia Black, Graham Denison, Judy Dietzman, Kathleen Eghoan, Kent Ekstrom, Robert Frye, Nancy Horrocks, Larry Hovey, Frank Hunter, Susan Jamison, Thomas Kimbro, James Liberty, Terry Maderos, James



McIntosh, Dolores Meyer, Frank Nelson, Linda Nelson, Donna Norris, Francine Peck, Gary Phelps, Carol Ploetz, Shirley Renison, Barbara Riley, Steven Rogers, Ronald Ross, Rachel Smith, Carolee Spencer, David Stein, Jeffrey Walter, Richard Welch, Merrilee Wigby, and Philip Zentner.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Anna Kirehgarter and John Fremouw, and the following Eighth Grade students from Elk Grove Union Elementary School: Gilbert Abelia, Fred Alberg, Steve Andrews, Helen Baade, Wilma Bell, Leota Berry, Donald Bietz, Gordon Blase, Robert Brown, Norman Brumfield, George Camalig, Neil Campbell, Susan Campbell, Margaret Castello, Dana Colton, Lewis Conner, Tyrus Coupe, Ada Sue Crabb, Frank Edralin, Joan Edwards, Dixie Egner, June Eisenbeisz, Sachiko Endow, Earla Felt, Margie Ferguson, Rita Fernandez, Virginia Freyschlag, Gordon Geerts, Takeko Hayashida, Betty Hottman, Darlene Kolb, Sharon Larson, Barbara Lewis, Laverne Lima, Melvin MacDonald, Donna Maita, Norma Manica, Larry Mantz, Betty Mathews, Helen McClure, Billy Meaker, Kenneth Meyer, Patricia Miles, Godfrey Mix, Sally Mosher, William Mouser, Geraldine Northrup, Leonard Palaca, Patricia Paley, Boyd Reed, Rose Rohrer, Isao Sano, Douglas Setters, Ronald Smedberg, Pearl Smith, Marion Sperry, Aletha Spooner, Richard Taylor, Larry Uhde, Diane Vogt, Nancy Warren, and Henry Wenckie.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adults Miss Tank, Mr. Mahakian, Mr. Smith, Mr. Borum, Mrs. Osby, and Mrs. Rummel, and the following students of McChesney Junior High School: David Blakley, Jam Brigham, Carol Buckingham, Candy Cadwell, Pat Cahill, Bruce Cameron, Mike Clarke, Jack Cline, Mike Edwards, Bobette Egan, Roger Finberg, Dean Gunter, Kathlyn Hoffman, Steve Kanewske, Jerry Kilner, Gail Kilpatrick, Phillip Korbas, Bob Kristie, Steve Mainwaring, Deane Marcy, Pat Maskel, Margo Meves, Rita Milani, Thais Mola, Brian Payne, Joyce Perdrian, Joan Ready, Mary Richardson, Don Schauer, Jerry Sweeney, Carol Tabler, Marilyn Garcia, Arlene Asher, Bruce Burman, Bob Burton, Brian Cameron, Martha Durst, Pat Belber, Bill Bohn, Russell Branch, Maris Chirone, Joan Danielson, Roberta Del Gado, Sylvia Dibble, Leland Douglas, Barbara Ellison, Judy Griffin, Bud Gump, Judy Hall, Richard Heaton, Larry Hendrickson, Joy Hodges, Judy Lange, Bill Laseurettes, Dick Lawson, Bill Lewis, Lynne Maxfield, Joyce McBride, Ronald McKee, Betsy Monsen, Barbara Parker, Bob Pogue, Clark Smith, Esther Smith, Jim Smith, Bonnie Stewart, Beverly Tye, Judy Viera, Mike Davis, George Williamson, Dion Anderson, Kathy Griffin, Judy Harrington, Judy Adams, Susan Blackman, Tommy Bryan, Gordon Chan, Audrey Crespan, Barbara DeLand, Susan Dodge, Paul Eck, Barry Ferris, Ron Foster, Marilyn Golden, David Grill, Ann Hedland, Bill Heidt, Susan Hoelsken, Zane Hunt, Bob Mason, Martha Maxeiner, Joanne Paul, Donald Peattie, Bill Potter, Sandra Raymond, Sonna Schupfer, Carolyn Smith, Leland Spencer, Ronnie Steiner, Jane Walker, Susan Johnstone, Russell Hansen, Joan Kroll, Yvonne Mattice, Kathy Ott, Anabelle Patchen, Beatrice Resnitz, Mary Scott, Marge Sousa, Robert Blake, Jocelyn Shulster, Kenneth Johnson,



Marvin Young, Marshall Forman, John Brown, Harriet Bloom, Earl Davey, Joan Brewer, Phyllis Ravn, Fredrick Schwartz, Robert Buchman, Kenneth Teakle, Judith Turner, Marilyn Snyder, Jane Wilson, Michael Frost, Pat White, David Henderson, Emily Anderson, Lane Jeanne, Stanley Steele, Harold Nelson, Raymond Saavedra, Kenneth Graunstadt, Stanley Kintz, Terry Seaborn, Diane Sockol, Peggy Standnard, Jay Viera, Loretta Williams, Lorrie Williams, Edward Yang, Betty Berry, Karole Kenton, Alan Beales, Virginia Bergesen, David Bosworth, Allen Cattell, Barbara Clough, Edwin Coats, Mike Crew, Denis Curran, Paulette Dodge, Paul Duffey, Shirley Garibaldi, Nancy Harder, Mary Ann Heatherly, John Hertz, Albert Holloway, Marueen Kelleher, Jalair Knudson, Howard Lincoln, Joan Martinson, Erwin Mieger, Judy Miller, Tom Mortinson, Richard Ardeman, Carol Pritchard, Charles Raymond, Fred Selinger, Diane Simpson, Marvin Stanley, Shirley Summers, Karen Warner, Ann Wilson, Sandra Yeffa, Phil Smith, John Walker, John Parker, Cheryl Mieger, and Brenda Shick.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Dorothy Engelund, Mrs. Beverly Balbi, Oscar Linstrum, Mr. Watson, Mr. Raffanti, and the following students of the David D. Bohannon School, San Lorenzo and Edendale School: *David D. Bohannon School*—Janet Biery, Harry Burchard, Nancy Cogburn, Sue Cox, Leonard Deaton, Bill Fargo, Howard Galletti, Giraud Guyre, Janice Johnson, Rodney Krebs, Merle Larson, Norman Lichty, Mary Ann Mason, Larry Mitchell, Mel Montalbo, Judy McAlexander, Charles McCollister, Marilyn Neff, Macil O'Connor, Dale Odell, Jerry Parsons, Janet Pence, Stanley Perkins, Gail Price, Audrey Reyes, Barbara Richardson, Clayton Roth, Betty Sasser, Sharon Session, Ginger Scott, Anthony Vigil, and Barbara Young; *Edendale School*—J. C. Curtis, Merle K. Closser, William Cambra, Yvonne Pedro, Jimmie Flowers, Jim Furtado, Joan Oberman, Ruben Martinez, Gaylen Cates, Joan Senechal, Sandra McGregor, Marilee Murphy, Marlene Phillips, Gary Hopper, Diane King, Mary Ann Kittredge, Sally Ann Wagner, Josephine E. Ruiz, Bobby Telles, Judith Monroe, Edward Soldi, Geneva Golway, Joan E. Healy, Ronnie Barton, Louis Lema, Steven Hildebrand, Fred Meri, Marilynne Nichols, Dean Hess, Joe Linhares, and Manuel Rangel.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Joel Ivie, Mrs. Dimple Lusk, Lawrence Mitchell, Mrs. Dorothy Cusey, Mrs. Freda Ryan, Mrs. Freda Reneau; parents Howard D. Lusk, Thomas Reneau, Mrs. Clare Loeey, Mr. and Mrs. Louis Bertolero, Harold Joliff, Mr. and Mrs. Chester McKim, Mr. and Mrs. Merrill Bishop, Mr. and Mrs. Clarence Skiles, and the following students from Salida Elementary School: Lena Mae Anthany, Dick Bishop, Carolyn Brooks, Victor Caverly, Carl Cheek, Vivian Cheek, Ronald Connacher, Mary Craig, Alma Cummings, William Cummings, Wade Drury, James Evans, Louis Evans, Richard Gilbert, Lyle Gish, Mary Jo Hamrick, Mary Herald, Diana James, George Jenkins, Hershel Jones, Lauren Jones, Billie June McKim, Willa Gene McKim, Carleen Pendergraft, Ernie Poletti, Nick Resso, Donald Reynolds, Arlen Short, Darryl Skiles, Jerry Surber, Jo Ann Tamura, Barbara Hale, Leroy Bertolero, Lawrence Van Laar,

Robert Whitmore, Bernard Simpu, Robert Reed, Melvin Silvera, Darri Tuggle, Thomas Holley, Eva Smith, Henry Whitley, Bill Manka, Bob Manka, Bob Shanks, Donald Carper, Homer Cochrum, Darold Joliff, Wanda Walters, Maureen Williams, and Clifford Stevens.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Duane Powers, C. L. Blomquist, bus driver Charles Azevedo, and the following students of the Corning Union High School: Charles Ades, Fito Barrera, George Brannin, Louise Briles, Bob Burt, Joan Coeville, Roberta Corrie, Bob Davis, Sharon Dearnore, Jerry Devore, Elnora Eggers, Clifford Endicott, Shirley Fredrick, Billy George, Charles Gildes, Marjorie Cross, Penny Gupton, Alice Harrah, Marlene Hradecky, Barbara Jarvis, Dorothy Jensen, Carroll McEwen, Jeannie McKeehan, Carla Miller, Nancy Miller, Larry Miner, Edward Moon, Jim Moon, Helen Meuser, Gladys Peck, Gene Petrie, Venero Purvis, Sally Ribble, Vera Roberts, Farrell Shatswell, Bob Smith, Leslie Smither, Wynn Sutfin, Lina Thompson, Marnly TenEyck, Janet Thoreson, Bruce Turner, Emogene Whitlock, and Aurdey Hardy.

On request of Senators McCarthy and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults George Boyko, John Nichols, Mrs. Fred Sanford, Paul Richter, and the following students of the Tamalpais School, San Rafael: Robert Borden, Warren Bostick, Dan Duffey, Peter Edmister, Toni Falconi, Roger Greensfelder, Judd Hanna, Peter Hartford, Arthur Haseltine, Chips Haseltine, Joe Hickingbotham, Edward Hodges, Barron Housel, Stan Koenigsberger, Thomas Lovejoy, Scot MacInnis, Tim Magee, Norman Meigs, Dan Pennington, Bill Riley, Jon Sanford, Kit Seales, and Robert Westphall.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults D. G. McLarrin, K. Buoy, Marshall Powell, Willard Morris, Gerald Layne, Mona Underwood, Melba Hanks, and the following students of the Clinton Whitmore School, Ceres: John Abernathy, Melvin Bettinecourt, Manual Ballakais, Bruce Brown, Wayne Forni, Louis Garcia, Bill Grandstaff, Charles Johnson, Robin Miner, Gene Poindexter, Eugene Raymond, Jackie Seay, Larry Sterling, Harold Tittsworth, Stanley Watkins, Roger Watson, Robert Wilhite, Janice Achterberg, Joyce Baldwin, Joyce Beebe, Judith Byron, Sharon Chervo, Janis Davis, Mary Jane Gier, Ruth Hill, Barbara Hutson, Dana Kenshol, Priscilla Killmer, Arlene McKay, Threesea Miner, Myrtle Olson, Deanna Pearson, Iwana Pittman, Dorothy Pollard, Jo-Rene Shelton, Georganna Tyra, Ruth Watson, Anita Weber, and Janet Worrell.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to President J. E. Weaver, Advisor L. L. Caviness, and the following students of the Pacific Union College: John Chu, John Sung, Francisco Rasa, Oscar Arlt, Albert S. Ho, Clifford Schaber, Daniel Leong, Betty Liu, Phoebe Lee, Alice Deug, Suchada Pusavat, Jeanne E. Pohan, Grace Silvera, Gaudencia Flores, Jacob Chang, James Yeo, Luie Quan, Clarice Salsa, Ellen Arzoo, Gladys Sung, and Ann Kutcher.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION  
SACRAMENTO 14, March 25, 1953

*Mr. Joseph A. Beek, Secretary  
State Senate, Senate Chamber  
Sacramento 14, California*

DEAR MR. BEEK: This is to advise you that as of this day we have deposited \$1,298.79 to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative Publications by our Documents Section for the period July 1, 1952-December 31, 1952.

Very truly yours,

PAUL E. GALLAGHER, State Printer

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 388

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

**Assembly Bill No. 388**—An act to amend Sections 53601, 53602, 53603, 53604, 35605, and 53638 of the Government Code, relating to funds of local agencies.

Referred to Committee on Local Government.

## LETTER OF TRANSMITTAL

## JOINT COMMITTEE ON WATER PROBLEMS

*To the President of the Senate,  
The Speaker of the Assembly,  
And to Members of the Senate and Assembly*

During the 1952 Regular Session, the Joint Committee on Water Problems submitted to the Legislature a Partial Report which concerned problems vitally affecting the entire economy of the State. Those problems related to the application of state law in the control, appropriation, use and distribution of water sought to be appropriated by the United States for federal reclamation projects, primarily in connection with the Central Valley Project.

During the 1952 Regular Session and the concurrent 1952 First Extraordinary Session the Legislature considered and acted on the problems indicated by the partial report as well as other water problems which came to the committee's attention after the report had been completed.

Your committee now submits this Second Partial Report to advise the members of the Legislature as to action that has been taken in seeking to solve these problems.

Respectfully submitted,

J. HOWARD WILLIAMS  
GEORGE J. HATFIELD  
JESSE W. MAYO  
BEN HULSE

RALPH R. CLOYED  
J. B. COOKE  
ROBERT KIRKWOOD  
CARLEY V. PORTER  
HAROLD K. LEVERING

Letter of transmittal ordered printed in the Journal, and report printed in the Appendix to the Journal.



## LETTER OF TRANSMITTAL

October 9, 1952

*To the Members of the Legislature  
State of California  
Sacramento, California*

GENTLEMEN: I am not in accord with the Second Partial Report submitted by the Majority of the Joint Interim Committee on Water Problems, of the California Legislature. I therefore wish to submit the following Minority Report.

Respectfully submitted,

SENATOR HUGH P. DONNELLY

Letter of transmittal ordered printed in the Journal, and report printed in the Appendix to the Journal.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1605

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 555

Senate Bill No. 1149

Senate Bill No. 1061

Senate Bill No. 1572

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 30—An act to amend Section 284 of the Agricultural Code, relating to the spread of bee diseases;

Senate Bill No. 31—An act to amend Section 281.6 of the Agricultural Code, relating to wax-salvage operations;

Senate Bill No. 32—An act to amend Section 275.5 of the Agricultural Code, relating to transportation of bees;

Senate Bill No. 111—An act to add Section 19439 to the Business and Professions Code, relating to the regulation of horse racing;

Senate Bill No. 131—An act to amend and renumber Section 1062.5 of the Government Code, relating to out-of-state travel by state officers and employees;

Senate Bill No. 187—An act to amend the heading of Article 1 of Chapter 3 of Division 1 of, and to amend Sections 70, 71, 73, 74, 76, and 77 of, and to add Section 78 to, the Agricultural Code, relating to agricultural fairs;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of March, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 619—An act to amend Section 12706 of, and to add Section 12707.5 to, the Business and Professions Code, relating to public weighmaster weight certificates;

Senate Bill No. 622—An act to amend Section 12201 of, and to add Sections 12201.1, 12201.2, and 12207 to, the Business and Professions Code, relating to sealers of weights and measures;

Senate Bill No. 764—An act to amend Sections 1101 and 1103 of, and to add 1103.35 to, the Agricultural Code, relating to eggs;

Senate Bill No. 819—An act to amend Section 12974 of the Insurance Code, relating to moneys in the Insurance Fund;

Senate Bill No. 1332—An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers;

Senate Bill No. 1437—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of March, 1953, at 10 a.m.

POWERS, Chairman



SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 24—Relative to acquisition of Central Valley Project;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of March, 1953, at 10 a.m.

POWERS, Chairman

## RESOLUTIONS

The following resolution was offered:

By Committee on Rules:

## Senate Resolution No. 91

*Resolved*, That the following persons be, and the same are hereby stricken from the payroll of the Senate on the completion of work on March 26, 1953:

Joseph F. Nolan, *Sergeant-at-Arms*  
 John F. Lea, *Minute Clerk*  
 Rabbi Irving I. Hausman, *Chaplain*  
 Cleve V. Taylor, *Chief Assistant Secretary*  
 Leslie W. Miller, *Assistant Secretary*  
 Petronella Rollins, *Assistant Secretary*  
 Edward E. Paine, *Indexing Clerk*  
 Laura D. Prentice, *Engrossing and Enrolling Clerk*  
 James E. Heaverside, *History Clerk*  
 Jack Jackson, *Assistant Minute Clerk*  
 Molly Jeanne Newington, *Assistant Minute Clerk*  
 N. L. Levering, *Journal Clerk*  
 Florence I. Mason, *Stenographer at Desk*  
 Margaret Sweeny, *Chief Stenographer*  
 R. W. Lyons, *Assistant at Desk*  
 Jacqueline Anderson, *Assistant Engrossing and Enrolling Clerk*  
 Norva Muse, *Assistant Engrossing and Enrolling Clerk*  
 Bertram Silva, *Amplifier Operator*

Resolution read, and adopted.

## Senate Resolution No. 92

*Resolved*, That the following persons be and the same are hereby appointed to the offices set forth below with the compensation set opposite their names, payable weekly seven days per week, beginning Friday, March 27, 1953, and the Controller is hereby directed to draw his warrants in favor of the said persons in said amounts and the Treasurer is hereby directed to pay the same:

	<i>Per day</i>
Joseph F. Nolan, <i>Sergeant-at-Arms</i> -----	\$20.00
John F. Lea, <i>Minute Clerk</i> -----	20.00
Rabbi Irving I. Hausman, <i>Chaplain</i> -----	5.75
Cleve V. Taylor, <i>Chief Assistant Secretary</i> -----	20.00
Leslie W. Miller, <i>Assistant Secretary</i> -----	14.50
Petronella Rollins, <i>Assistant Secretary</i> -----	14.50
Edward E. Paine, <i>Assistant Secretary</i> -----	14.50
Laura D. Prentice, <i>Engrossing and Enrolling Clerk</i> -----	16.00
James E. Heaverside, <i>History Clerk</i> -----	16.00
Jack Jackson, <i>Assistant Minute Clerk</i> -----	14.00
Molly Jeanne Newington, <i>Assistant Minute Clerk</i> -----	14.00
N. L. Levering, <i>Journal Clerk</i> -----	14.50
Florence I. Mason, <i>Stenographer at Desk</i> -----	14.00
Margaret Sweeny, <i>Chief Stenographer</i> -----	13.00
R. W. Lyons, <i>Assistant at Desk</i> -----	11.55
Jacqueline Anderson, <i>Assistant Engrossing and Enrolling Clerk</i> -----	11.55
Norva Muse, <i>Assistant Engrossing and Enrolling Clerk</i> -----	11.55
Bertram Silva, <i>Amplifier Operator</i> -----	11.55

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Murdy, Parkman, Powers, Sutton, Way, Weybret, and Williams—28.

NOES—None.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 13, 1953, appointing:

BERNARD R. CALDWELL, to the California State Communications Advisory Board, vice Clifford Peterson, deceased, for the term prescribed by law, ending December 31, 1956;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 10, 1953, appointing

RICHARD S. KEARNS, to the State Board of Forestry (representing pine producing industry) vice Kenneth Walker, term expired, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 13, 1953, appointing

H. EUGENE BREITENBACH, to the Youth Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 13, 1953, appointing

BURDETTE DANIELS, to the Board of Corrections, vice self, term expired, for the term prescribed by law, ending March 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 13, 1953, appointing

ERVIS W. LESTER, to the Adult Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor, dated March 13, 1953, appointing

CLINTON T. DUFFY, to the Adult Authority, vice self, term expired, for the term prescribed by law, ending March 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 10, 1953, appointing

ROY E. FORD, to the State Board of Cleaners, (representing the public), vice John T. French, term expired, for the term prescribed by law, ending January 15, 1954;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes: 5.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules to which was referred the Message from the Governor dated March 10, 1953, appointing

RUDOLPH HENRY, to the State Board of Cleaners (representing retail shop owners), vice self, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes: 5.

POWERS, Chairman

### CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

#### Motion to Confirm Appointments by the Governor

Senator Powers moved the Senate confirm and consent to the appointment of:

Bernard R. Caldwell as a member of California State Communications Advisory Board;

Richard S. Kearns as a member of State Board of Forestry;

H. Eugene Breitenbach as a member of the Youth Authority;

Burdette Daniels as a member of the Board of Corrections;

Ervis W. Lester as a member of the Adult Authority;

Clinton T. Duffy as a member of the Adult Authority;

Roy E. Ford as a member of the State Board of Cleaners;

Rudolph Henry as a member of the State Board of Cleaners.

The President put the question, "Will the Senate confirm and consent to the appointment of Bernard R. Caldwell, Richard S. Kearns, H. Eugene Breitenbach, Burdette Daniels, Ervis W. Lester, Clinton T. Duffy, Roy E. Ford, and Rudolph Henry?"

The roll was called, with the following result:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Powers, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

NOES—None.

#### Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointments of Bernard R. Caldwell, Richard S. Kearns, H. Eugene Breitenbach, Burdette Daniels, Ervis W. Lester, Clinton T. Duffy, Roy E. Ford, and Rudolph Henry.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has appointed the following Members of the Senate to fill vacancies on various Standing Committees, vice Senator Jesse M. Mayo, deceased:

Parkman to serve as member of the Committee on Natural Resources;  
 Coombs to serve as member of the Committee on Transportation;  
 Abshire to serve as member of the Committee on Fish and Game;  
 O'Gara to serve as member of the Committee on Governmental Efficiency;  
 Donnelly to serve as member of the Committee on Finance.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Ed. C. Johnson to serve as chairman of the Standing Committee on Fish and Game, vice Senator Jesse M. Mayo, deceased, and has appointed Senator Way to serve as vice chairman of the Standing Committee on Fish and Game.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Murdy to fill the vacancy on the Joint Committee on Water Problems, S.C.R. No. 80, vice Senator Jesse M. Mayo, deceased.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Senate Committee on Rules has appointed Senators Burns and Sutton to fill the vacancies on the Committee on Interstate Cooperation, S.R. No. 169—51.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Dilworth to serve as a member from the Senate on the State Allocation Board, Ch. 20, Stats., 1st Ex. Sess. 1946, as amended by Ch. 103, Stats., 1st Ex. 1946, and Ch. 92, Stats. 1947. Also Ch. 243 and Ch. 1575 Stats. 1947, vice Senator Jesse M. Mayo, deceased.

POWERS, Chairman

## LETTER OF TRANSMITTAL

## JOINT COMMITTEE ON WATER PROBLEMS

March 26, 1953

*To the President of the Senate,  
 The Speaker of the Assembly,  
 And Other Members of the Senate and Assembly*

The Joint Committee on Water Problems, created pursuant to Senate Concurrent Resolution No. 80, Resolutions Chapter 223, Statutes of 1951, submits as a Third Partial Report of that committee a special report made to the committee by T. Russel Simpson, Consulting Civil Engineer and Professor of Irrigation Engineering, University of California at Berkeley, California—Review of the Water Project Authority Report entitled "Feasibility of State Ownership and Operation Of The Central Valley Project of California" (dated March, 1952) including Supplemental Water Supply Studies and Revised Financial Analyses.

Respectfully submitted,

J. HOWARD WILLIAMS, Chairman

Letter ordered printed in the Journal, and Third Partial Report submitted by the Joint Committee on Water Problems be printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator Williams moved that 2,000 additional copies of the Third Partial Report submitted by the Joint Committee on Water Problems be printed for distribution.

Motion carried.



**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered:

**Senate Joint Resolution No. 28:** By Senator Brown—Relative to the leasing of restricted Indian lands in the State of California.

Referred to Committee on Natural Resources.

**Senate Joint Resolution No. 29:** By Senator Brown—Relative to the welfare of the Indians of California.

Referred to Committee on Social Welfare.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1507**—An act to amend Section 18412 of the Health and Safety Code, relating to auto courts and resorts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "electric".

**Amendment No. 2**

On page 1 of said bill, after line 9, insert

"The provisions of this section do not apply to any building constructed prior to 1949 and at a cost of at least five thousand dollars (\$5,000) per unit, nor to any building permanently occupied not more than 30 percent of each year."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1438**—An act to amend Sections 29001, 29013, 29014, 29015.1 and 29022 of the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 2 of the amended bill, between lines 10 and 11, insert "(1) Hypnotic drugs when combined and compounded with nonhypnotic drugs."

**Amendment No. 2**

On page 2, line 24, of said bill, as amended, strike out "respective licensing board", and insert "licensing board under which the purchaser is licensed".

**Amendment No. 3**

On page 2, line 33, of said bill, as amended, strike out "board", and insert "licensing board under which the purchaser is licensed".

**Amendment No. 4**

On page 2 of said bill, as amended, following line 37, insert "Each licensing board shall have exclusive jurisdiction to administer and enforce this section as to its licensees."

**Amendment No. 5**

On page 2 of said bill, as amended, strike out lines 39 and 40, and insert "This division does not require a license from and shall not apply to or interfere with a physician, den-".

**Amendment No. 6**

On page 2 of said bill, as amended, in line 41, strike out "who administers", and insert "in administering".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 526**—An act to amend Section 26472 of the Health and Safety Code, relating to adulterated foods.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1931**—An act to amend Section 12351.5 of the Health and Safety Code, relating to purchase and possession of explosives.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 785**—An act to amend Section 14640 of, and to add Sections 14633 and 14639.5 to, the Education Code, relating to the State Teachers' Retirement System in respect to benefits payable thereby.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 14640 of, and to add Sections 14633", and insert "Sections 14631 and 14640 of, and to add Sections 14276.5, 14633,".

**Amendment No. 2**

In lines 3 and 4 of the title of said bill, strike out "in respect to benefits payable thereby".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 2 of said bill, between lines 2 and 3, insert

"SEC. 2. Section 14276.5 is added to said code, to read:

14276.5. "Compensation earnable" by a member means the compensation as determined by the board which would have been earned by the member if he engaged in his duties the full amount of time he was required by his employment to be so engaged. The computation for any absence of a member shall be based on the compensation earnable by him at the beginning of the absence and that for time prior to becoming a member shall be based on the compensation earnable by him in the position first held by him as a member.

SEC. 3. Section 14631 of said code is amended to read:

14631. Retirement allowances, excluding annuities under the Annuity Deposit Fund, [being paid on the day next preceeding the effective date hereof,] *payable for time commencing on the effective date of this section*, to persons whose retirement is effective prior thereto, shall be changed as of said date and on the basis of the ages of, and service credited to the respective persons at the effective dates of their retirement, to retirement allowances which are the sum of amounts calculated under the Permanent and Retirement Annuity Funds respectively, on the basis of current interest rate and mortality tables, and in the manner prescribed herein for the calculation of retirement allowances of members whose retirement is effective after said [day,] *date*, but *not subject to the limit of 75 percent of average compensation earnable*. Such changed retirement allowance, prior to modification under options in Section 14637, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, based on service rendered prior to July 1, 1944, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any

allowance from a local retirement system, *minus one-half the retirement annuity on account of salary earned after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions.* Contributions and interest thereon owed to the system by said persons on said effective date, shall be deducted from the respective increased allowances, in the manner prescribed in Section 14476. If the person elected at retirement to have his annuity modified under one of the options in Section 14637, and if his beneficiary is living on the effective date hereof, the increase in his annuity shall be modified under the option then elected and on the basis of current ages."

#### Amendment No. 4

On page 2, line 3, of said bill, strike out "SEC. 2.", and insert "SEC. 4."

#### Amendment No. 5

On page 2, line 5, of said bill, after "Section," insert "but when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system,".

#### Amendment No. 6

On page 2, line 7, of said bill, after "annuity" and before "under", insert ", based on service rendered prior to July 1, 1944,".

#### Amendment No. 7

On page 2, line 18, of said bill, after the period, insert "No retirement allowance shall be increased under this section to exceed, annually, 75 percent of the average annual compensation earnable by the member during the five (5) years immediately preceding his retirement."

#### Amendment No. 8

On page 2, line 19, of said bill, strike out "SEC. 3.", and insert "SEC. 5."

#### Amendment No. 9

On page 2, line 21, of said bill, after "section," insert "but when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system,".

#### Amendment No. 10

On page 2, line 22, of said bill, strike out "fifty-three dollars (\$153)", and insert "fifty-eight dollars (\$158)".

#### Amendment No. 11

On page 2, line 23, of said bill, after "annuity" and before "under", insert ", based on service rendered prior to July 1, 1944,".

#### Amendment No. 12

On page 2, line 29, of said bill, strike out "fifty-three dollars (\$153)", and insert "fifty-eight dollars (\$158)".

#### Amendment No. 13

On page 2, line 34, of said bill, after the period, insert "No retirement allowance shall be increased under this section to exceed, annually, 75 percent of the average annual compensation earnable by the member during the five (5) years immediately preceding his retirement."

#### Amendment No. 14

On page 2 of said bill, after line 34, insert "SEC. 6. This act shall become effective on the first day of the month next following the ninetieth day after the final adjournment of the 1953 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1757**—An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

#### Amendment No. 1

On page 1, line 20, of the printed bill, as amended, after "projects", insert "within the powers and duties of the Division of Architecture".

**Amendment No. 2**

On page 1, line 22, of said bill, after the word "that", insert "money has been appropriated by Congress and".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 75**—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 19, 1953, after "Bay", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2 of said bill, as amended, after line 16, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The areas adjacent to the San Francisco Bay urgently need an adequate supply of fresh water for domestic and industrial uses. It is essential to the public health, safety and welfare that a study of salinity control barriers as a means of securing such a supply of fresh water, be undertaken without delay."

**Amendment No. 3**

In line 2 of the title of the printed bill, as amended, strike out the period, and insert ", San Pablo Bay, Suisun Bay, and the Sacramento-San Joaquin Delta".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 133**—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 186**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 278**—An act to amend Section 4 of Chapter 7 of the Statutes of 1951, relating to revenues of tide and submerged lands, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 548**—An act to add Section 4322 to the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 549**—An act to add Article 12 to Chapter 17 of Division 6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 647**—An act to add Sections 12224, 12300.2, 12301.1, 12307.1, 12312, and 12313 to, and to amend Sections 12002, 12205, and 12309 of, the Financial Code, and to add Article 13, comprising Section 1576, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to licensees under the Check Sellers and Cashers Law.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 658**—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 833**—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 260**—An act making an appropriation for the support of major construction, improvements, and equipment at the Porterville State Home, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

##### Amendment No. 1

On page 1, line 9, of the printed bill, after "Buildings", insert "and auxiliary facilities".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1223**—An act to amend Section 2900 of the Penal Code, relating to the commencement of term of imprisonment and the effect of temporary release therefrom.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

##### Amendment No. 1

On page 1, line 18, of the printed bill, strike out "he", and insert "such person".

##### Amendment No. 2

On page 1, after line 19, insert "The Department of Corrections may contract for the use of any facility of the State, or political subdivision thereof, to care for such persons received in accordance with this section."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 138**—An act to amend Section 3129 of the Business and Professions Code, relating to the practice of optometry.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 74**—An act to amend Section 28120 of the Government Code and Section 79.49 of the Code of Civil Procedure, relating to compensation for services performed for counties of the twentieth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "----- dollars (\$-----)", and insert "seven thousand two hundred dollars (\$7,200)".

Amendment read, and adopted.

Bill ordered printed.

**MOTION TO RE-REFER SENATE BILL NO. 74**

Senator Harold T. Johnson moved that Senate Bill No. 74 be re-referred to Committee on Governmental Efficiency.

Motion carried.

**Senate Bill No. 1260**—An act to amend Section 440 of the Education Code, relating to compensation for public service in counties of the fortieth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "----- dollars (\$-----)" and insert "six thousand five hundred dollars (\$6,500)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1662**—An act to amend Sections 58853, 58854, 58855, 58857 and 58859 of, and to add Sections 58850.1, 58855.1 and 58855.2 to, the Government Code, relating to change of district boundaries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 86**—An act to repeal Sections 8, 9, 10, 11, 12, 13, and 14 of, to add Sections 8, 9, 10, 11, 12, 13, and 14 to, and to amend Section 19b of, an act entitled "An act to promote drainage," approved March 18, 1885, relating to assessments by drainage districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1434**—An act to amend Section 45053 of the Government Code, relating to employment of retired persons by cities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 868**—An act to amend Section 442 of the Education Code, relating to the compensation of the county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 869**—An act to amend Section 28142 of the Government Code, relating to the compensation of county officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 870**—An act to amend Section 28152 of the Government Code, relating to the compensation of county officers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1806**—An act to amend Section 8809 of the Streets and Highways Code, relating to improvement bonds.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1923**—An act to amend Sections 5391 and 5392 of, and to add Section 5022.5 to, the Streets and Highways Code, relating to improvements.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 850**—An act to amend Section 28143 of the Government Code, relating to salaries of officers in counties of the forty-third class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1435**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54300, 54307, 54309, 54311, 54313, 54341, 54342, 54344, 54384, 54420, 54421, 54422, 54423, 54427, 54431, 54432, 54434, 54467, 54478, 54513, 54514, 54515, 54516, 54519, 54522 and 54552 of the Government Code and by adding Sections 54615 and 54516.1 to the Government Code, relating to the acquisition, construction, improvement and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the issuance, sale, protection and payment or redemption of revenue bonds.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

In line 2 of the title of the printed bill, strike out "54300, 54307, 54309," and strike out lines 3 to 6, inclusive, and insert "54309, 54341, and 54516 of, and by adding Section 54516.1 to,".

##### Amendment No. 2

In line 10 of the title of said bill, after "ment", insert ", financing".

##### Amendment No. 3

On page 1 of said bill, strike out lines 1 to 10, inclusive.

##### Amendment No. 4

On page 1, line 11, of said bill, strike out "SEC. 3.", and insert "SECTION 1."

##### Amendment No. 5

On page 1, line 14, of said bill, after "works,", insert "facilities,".

##### Amendment No. 6

On page 1, line 18, of said bill, after "protection,", insert "recreation,".

##### Amendment No. 7

On page 2, line 4, of said bill, after "water", insert ", including drainage".

**Amendment No. 8**

On page 2 of said bill, between lines 4 and 5, insert  
“(d) The providing of public parking lots, garages, or other automotive or vehicular parking facilities, including any and all public off-street vehicular parking facilities; or”.

**Amendment No. 9**

On page 2, line 5, of said bill, strike out “(d)”, and insert “(e)”.

**Amendment No. 10**

On page 2 of said bill, strike out lines 7 to 13, inclusive.

**Amendment No. 11**

On page 2, line 27, of said bill, after “equipment,” insert “ditches, canals.”

**Amendment No. 12**

On page 2 of said bill, strike out lines 29 to 42, inclusive.

**Amendment No. 13**

On page 2, line 43, of said bill, strike out “SEC. 6.” and insert  
“SEC. 2.”

**Amendment No. 14**

On page 3 of said bill, strike out lines 5 to 50, inclusive; and strike out pages 4 and 5.

**Amendment No. 15**

On page 6, line 1, of said bill, strike out “SEC. 23.” and insert  
“SEC. 3.”

**Amendment No. 16**

On page 6, line 6, of said bill, strike out “SEC. 24.” and insert  
“SEC. 4.”

**Amendment No. 17**

On page 6 of said bill, strike out lines 34 to 52, inclusive; and strike out page 7.

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Local Government.

**Senate Bill No. 411**—An act to repeal Section 9561 of, and to add Section 9534.5 to, the Business and Professions Code; relating to the regulation of the dry-cleaning industry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In the title of the printed bill, strike out “Section 9534.5 to”, and insert “Sections 9505.3, 9533.5, 9533.6, 9541.2, and 9551.5 to, and to amend Sections 9501, 9502, 9506, 9540.7, and 9590 of.”.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert

“SEC. 2. Section 9501 of said code is amended to read:

9501. “Cleaning” and “dry cleaning” mean the process of cleaning or renovating wearing apparel, feathers, furs, hats, fabrics, or textiles by immersion and agitation, spraying, vaporization, or immersion only, in a volatile, commercially moisture-free solvent, or by the use of a volatile or inflammable product, applied either manually or by means of a mechanical appliance.

“Cleaning” and “dry cleaning” includes “wet cleaning,” “spotting,” “pressing” and “finishing” as herein defined, whenever, and to the extent, necessary to complete the dry-cleaning process of the garment in accordance with standards set forth in Sections 9564 and 9566 of this chapter, and in all transactions in which the words “dry cleaning” and “cleaning” are used or implied, the same shall be deemed to include all such processes, unless such processes, or one or more of the same, are expressly



excluded by agreement between the licensee and the customer or by advertising, solicitation, or offer using or implying the same.

When the garment is a fur, fur garment, or a garment to which fur is attached, "dry cleaning" also includes the use of sawdust or other similar solid materials mixed with noninflammable solvents, applied manually with a mechanical device, or a fur-cleaning drum and glazing of fur and cleaning of lining. *As used in this section, "spraying" does not include spraying during the process of spotting.*

SEC. 3. Section 9502 of said code is amended to read:

9502. "Dyeing" means the process of coloring wearing apparel, feathers, furs, hats, fabrics, or textiles by the use of aniline dyes, mordants, or acid, [and] *with or without steam.*

SEC. 4. Section 9505.3 is added to said code, to read:

9505.3. "Hat renovating shop" means any premises, business, building, room, shop, store, or establishment, equipped to perform in whole or in part the process of cleaning, blocking, and renovating hats.

SEC. 5. Section 9506 of said code is amended to read:

9506. "Private school or college of spotting, sponging, or pressing" means any establishment in which individuals are taught the operations or processes employed in the spotting, sponging, dry cleaning by local application, or pressing or other finishing of wearing apparel, feathers, furs, hats, fabrics, or textiles, whether gratuitously, for a charge or fee, or in exchange for services.

*This section does not apply to instruction given by a licensed employer to an employee or apprentice or to a veteran, nor does it apply to any clinic conducted by a local, state, or national association for the general information of its members.*

SEC. 6. Section 9533.5 is added to said code, to read:

9533.5. For the purpose of enforcing this chapter, any member of the board or any employee of the board designated for that purpose may enter and inspect any clothes cleaning establishment, dyeing plant, cleaning and/or dyeing shop or store, spotting, sponging, or pressing establishment, dry cleaning agency, hat renovating establishment, fur renovating establishment, or school or college of cleaning and/or dyeing, spotting or pressing during customary business hours or at any time when such establishment, plant, shop, store, or agency is in operation. The owner, lessee, manager, or operator thereof shall permit the members of the board or their designated representatives to enter and make inspections at the time and for the purpose stated in this section.

SEC. 7. Section 9533.6 is added to said code, to read:

9533.6. The operation of any establishment, plant, shop, store, school, or agency in violation of this chapter may be enjoined by the superior court of any county upon petition by the board. Proceedings under this section shall be conducted in accordance with Chapter 3, Title 7, Part 2 of the Code of Civil Procedure, except that no undertaking shall be required of the board.

SEC. 8. Section 9540.7 of said code is amended to read:

9540.7. Applicants failing to appear for examination after being duly notified by the board for three (3) consecutive examinations, shall be removed from the list of eligible applicants for examination and shall forfeit their examination fee, except that any person whose failure to appear for examination is due to service in any branch of the armed forces of the United States during a period of war as defined in Section [18] 114.5 of [the Military and Veterans] *this code*, shall, upon application made not later than one year from the date of discharge or return to inactive military service, and upon the filing of an affidavit showing the date of entrance into service, whether still in service, or the date of discharge or return to inactive status, be restored to the eligible list and permitted to take the examination without payment of further examination fee.

SEC. 9. Section 9541.2 is added to said code, to read:

9541.2. No licensee shall conduct his licensed business or advertise or solicit business under a name other than a name which appears on his license.

SEC. 10. Section 9551.5 is added to said code, to read:

9551.5. Before a certificate of registration is granted, an applicant shall comply with all of the following:

(a) Be of good moral character. Lack of good moral character may be established by showing that any of the grounds specified in Section 9540.3 of this code are applicable to the applicant.

(b) Have been actively engaged in the dry cleaning industry or as a tailor in this or another state for a period of at least one (1) year at the time application is made. The board may in its discretion give credit as experience for the purpose of this subdivision to training in a school approved by the board.

(c) Demonstrate by examination that he possesses the knowledge and skills necessary to qualify him to engage in the particular activity for which the certificate is sought.

SEC. 11. Section 9590 of said code is amended to read:

9590. [Unless otherwise expressly provided,] Any violation of this chapter is a misdemeanor [punishable upon conviction by a fine of not less than twenty-five dollars

(\$25) nor more than two hundred dollars (\$200). The district attorney shall have concurrent jurisdiction in the prosecution of violations of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 672**—An act to amend Section 11010, 11011, and 11015 of the Business and Professions Code, relating to subdivided lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "11011".

##### Amendment No. 2

On page 1, between lines 8 and 9, of said bill, insert

"(a) The name and address of the owner.

(b) The name and address of the subdivider.

(c) The legal description and area of lands.

(d) A true statement of the condition of the title to the land, particularly including all encumbrances thereon.

(e) A true statement of the terms and conditions on which it is intended to dispose of the land, together with copies of any contracts intended to be used.

(f) A true statement of the provisions, if any, that have been made for public utilities in the proposed subdivision, including water, electricity, gas and telephone facilities.

(g) Such other information as the owner, his agent, or subdivider, may desire to present."

##### Amendment No. 3

On page 1 of said bill, strike out lines 9 to 18, inclusive.

##### Amendment No. 4

On page 1, line 19, of said bill, strike out "3", and insert "2".

##### Amendment No. 5

On page 1, line 28, of said bill, strike out "ten dollars (\$10)", and insert "fifty dollars (\$50)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 673**—An act to amend Section 10561, 10562, 10562.5, and 10562.6 of the Business and Professions Code, relating to mineral, gas, and oil licensees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 3, line 4, of the printed bill, strike out "malice, oppression,".

##### Amendment No. 2

On page 3, line 16, of said bill, strike out "or", and insert "of."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 674**—An act to amend Sections 10301, 10302, 10302.5 and 10302.6 of the Business and Professions Code, relating to real estate regulations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 22, of the printed bill, after "by", insert "him".

**Amendment No. 2**

On page 3, line 12, of said bill, strike out "Chapter 2", and insert "Chapter 1 of Part 2".

**Amendment No. 3**

On page 3, line 21, of said bill, strike out "malice, oppression,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 675**—An act to amend Sections 10176, 10177, 10177.5 and 10177.6 of, and to add Section 10101 to, the Business and Professions Code, relating to procedure for revoking, suspending or denying a real estate license.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "acts or omissions", and insert "grounds for revocation or suspension".

**Amendment No. 2**

On page 2, line 13, of said bill, after "amount", insert "of such licensee's compensation, commission or profit under any agreement".

**Amendment No. 3**

On page 3, line 16, of said bill, strike out "malice, oppression,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 689**—An act to amend Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 19, of the printed bill, after "exceed", strike out "six cents", and insert "eight cents"; and on line 20, strike out "(\$0.06)", and insert "(\$0.08)".

**Amendment No. 2**

On page 1, line 22, of said bill, after "allowed", strike out "six cents (\$0.06)", and insert "eight cents (\$0.08)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1433**—An act to amend Government Code Section 39731 and to add thereto new sections numbered 39731.1 and 39731.2, relating to acquiring, operating, paying the cost of acquiring and operating, and protecting the property and revenues of ferry systems owned by fifth and sixth class cities.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 2 of the amended bill, line 11, strike out "shall", and insert "may", and strike out "on a substantially similar proposition".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2712**—An act to repeal Section 6695 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 19, of the printed bill, strike out "bill", and insert "act".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1992**—An act to amend Section 32100.5 of the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1993**—An act to amend Sections 32001 and 32002 of the Health and Safety Code, relating to hospital districts and validating certain proceedings with respect to such districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1998**—An act to amend Section 209 of the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 86**—An act to amend Section 2205 of the Education Code, relating to powers of governing boards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 13, of the printed bill, strike out "four", and insert "three".

**Amendment No. 2**

On page 2, line 19, of said bill, after the second "of", insert "certification of newly elected members after".

**Amendment No. 3**

On page 2, line 20, of said bill, strike out "state", and insert "city".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 1863**—An act to codify the Agricultural Producers Marketing Act by adding Chapter 11 to Division 6 of the Agricultural Code and repealing Chapter 754 of the Statutes of 1933, relating to the marketing of agricultural products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1867**—An act to codify the California Agricultural Products Marketing Act of 1937 by adding Chapter 12 to Division 6 of the Agricultural Code and repealing Chapter 307 of the Statutes of 1935, relating to the marketing of agricultural products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1868**—An act to codify the California Agricultural Products Marketing Act of 1943 by adding Chapter 13 to Division 6 of the Agricultural Code and repealing Chapter 516 of the Statutes of 1943, relating to the marketing of agricultural products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1870**—An act to codify Chapter 1679 of the Statutes of 1951, relating to the regulation of shorthand reporting, by adding Section 30047 and Chapter 13, Division 3, to the Business and Professions Code, and repealing Chapter 1679 of the Statutes of 1951.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1880**—An act to codify certain acts, relating to aviation and the organization, powers, and duties of agencies regulating and furnishing facilities for aviation, by adding Division 9 to the Public Utilities Code; and by repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1881**—An act to codify certain statutes, relating to public ways and appurtenances thereto, by adding Section 194.1 to the Streets and Highways Code, amending the heading of Division 3 of said code, adding Chapter 5 to Division 3 of said code, adding Division 12 to said code, adding Part 4 to Division 18 of said code, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1885**—An act to codify Chapter 330 of the Statutes of 1933, relating to alcoholic beverages, by adding Division 9 to the Business and Professions Code, and repealing Chapter 330 of the Statutes of 1933.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1889**—An act to codify Chapter 35 of the Statutes of the First Extraordinary Session of 1950, relating to research concerning sexual deviations and sex crimes, by adding Chapter 5, comprising Sections 5650 to 5653, inclusive, to Part 1, Division 6, of the Welfare and Institutions Code, and to repeal Chapter 35 of the First Extraordinary Session of 1950, except Section 6 thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1896**—An act to codify Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, relating to the selection and acquisition by the State of real property for use in furtherance of the postwar construction program, by adding Part 11, comprising Sections 15850 to 15866, inclusive, to Division 3, Title 2 of the Government Code, and repealing Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1897**—An act to codify Chapter 1455 of the Statutes of 1947, relating to the United States Flood Control Receipts Fund, by adding Article 7, comprising Sections 16414 to 16417, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and repealing Chapter 1455 of the Statutes of 1947, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1908**—An act to add Title 8 to the Government Code, to consolidate and revise the law relating to a system of courts of the State and judges, officials, attaches and employees thereof, to repeal acts and parts of acts specified therein, and to amend Sections 614, 269, and 274c of the Code of Civil Procedure, to repeal Section 36 of the Code of Civil Procedure, and to add Section 3020.5 to the Government Code.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1924**—An act to codify Chapter 1551 of the Statutes of 1949 by repealing said chapter and adding Chapter 5 to Division 7 of the Water Code, relating to the State Water Pollution Control Fund and the use thereof for making loans to municipalities and districts for sewerage and storm drainage facilities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1925**—An act to codify Chapter 1514 of the Statutes of 1945 and Chapter 142 of the Statutes of the 1946 First Extraordinary Session, relating to the control, conservation, and use of the water resources of the State, and continuing a special fund in the State Treasury for flood control projects and allocations for certain projects, by adding Part 6 to Division 6 of the Water Code, and repealing Chapter

1514 of the Statutes of 1945 and Sections 1 to 11, inclusive, and Sections 16 and 17 of Chapter 142 of the 1946 First Extraordinary Session.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1926**—An act to codify Chapter 1070 of the Statutes of 1943 by repealing said chapter and adding Section 8679 to the Water Code, relating to revenue of the Reclamation Board.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 27**—An act making an appropriation for construction, improvements, repairs, and equipment of a hospital annex and alterations to existing hospital at Pacific Colony, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 34**—An act making an appropriation for construction, improvements, and equipment, Long Beach State College, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 921**—An act to amend Section 5102 of the Welfare and Institutions Code, relating to persons suffering from epilepsy and their commitment to a state hospital.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1053**—An act adding Sections 30.5 and 30.6 to Chapter 47 of the Statutes of 1943 (Fourth Extra Session), relating to allocations to counties and cities for public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

##### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Assembly March 13, 1953, strike out "1943 (Fourth)", and insert "1944 (Second)".

##### Amendment No. 2

On page 2, line 8, of said bill, as amended, strike out "resides", and insert "is located".

##### Amendment No. 3

On page 2, line 28, of said bill, as amended, strike out "reside", and insert "are located".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 547**—An act to amend Section 10460 of, and to add Sections 10103, 10463, and 10464 to, the Business and Professions Code, relating to real estate brokers' and salesmen's licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2966**—An act to amend Section 2733.5 of the Business and Professions Code, relating to the practice of nursing.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 208**—An act to amend Section 28120 of the Government Code and Section 79.49 of the Code of Civil Procedure, relating to compensation for services performed for counties of the twentieth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in Assembly March 16, 1953, strike out "and Section 79.49 of the Code of Civil Procedure".

**Amendment No. 2**

On page 2, line 9, of said bill, as amended, strike out "justice's", and insert "justice".

**Amendment No. 3**

On page 2, line 15, of said bill, as amended, strike out "justice's", and insert "justice".

**Amendment No. 4**

On page 2 of said bill, as amended, strike out lines 26 to 30, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 851**—An act to amend Section 31520.1 of the County Employees Retirement Law of 1937 (Government Code, Part 3, Chapter 3) to establish an alternate member on the retirement board for safety members.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "County Employees"; and strike out all of lines 2, 3, and 4 of the title, and insert "Government Code, relative to alternate members on county employees retirement boards."

**Amendment No. 2**

On page 1 of said bill, as amended, between the enacting clause and line 1, insert "SECTION 1. Section 31520.1 of the Government Code is amended to read:".

**Amendment No. 3**

On page 1, line 16, of said bill, as amended, after "second" strike out "the", and insert "and".

**Amendment No. 4**

On page 1 of said bill, as amended, after line 24, insert "The alternate member provided for by this section shall vote as a member of the board only in the event any one of the seven regular members is absent from a board meeting for any cause."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 410**—An act to amend Section 14549 of the Health and Safety Code, relating to the division of funds and property of a fire protection district upon withdrawal of territory.

Bill read second time.



**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

In line 5 of the printed bill, as amended on March 6, after "withdrawal", insert "including taxes levied and collected by the district on property withdrawn after the date of withdrawal".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2832**—An act to amend Sections 3, 4, 5, 9, 11, 12, 13, 14, 15, 20, 21, and 25 of the Parking District Act of 1951, to add Sections 19a and 23a to said act, and to repeal Section 27 of said act, and to repeal Sections 35563, 35566, and 35704 of, to add Sections 35269.5, 35272.5, 35401.5, 35415.5, 35430, 35431, 35554.5, 35704, and 35705 to, and to amend Sections 35108, 35250, 35251, 35258, 35268, 35272, 35273, 35400, 35401, 35402, 35404, 35407, 35411, 35414, 35558, 35560, 35561, 35562, 35564, 35565, 35571, and 35703 of, the Streets and Highways Code, relating to the formation of districts within municipalities for the acquisition and improvement of parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable from revenues from such parking places from revenues from parking meters on some or all of the public ways in such districts and from ad valorem assessments upon real property in such districts; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts; declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 14, line 50, of the printed bill as amended in Assembly March 11, 1953, after the second comma, strike out "percentage".

**Amendment No. 2**

On page 17, line 4, of said bill, as amended, after "or", insert "the city shall procure options to purchase such land, property, and rights of way, or,".

**Amendment No. 3**

On page 17, line 44, of said bill, as amended, before "judgment", insert "a".

**Amendment No. 4**

On page 17, line 49, of said bill, as amended, after "therefor", insert "and to establish a reserve fund for the payment of the principal of and interest on the bonds,".

**Amendment No. 5**

On page 18, line 20, of said bill, as amended, after "place", insert "or places".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 409**—An act to add Section 14444.2 to the Health and Safety Code, relating to county fire protection districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 610**—An act to amend Section 28153 of the Government Code, and Section 453 of the Education Code, relating to compensation and qualifications for public services in counties of the fifty-third class.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1305**—An act to amend Sections 31592, 31620, 31621, 31860 of the Streets and Highways Code, to add Sections 31710, 31784.1 and 31866 to said code, and to repeal Chapter 11 of Part 1 of Division 18 of said code, relating to vehicle parking districts, the financing of parking places, the condemnation of property therefor, the making of advances for the acquisition and improvement, the use of revenues from parking meters in the district and the addition of land to the district, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1895**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of state and local government by adding Sections 185, 1229, 6852, 12574, 16301.5, 26027, 26028, 27336, and 37360, to the Government Code; Article 4.5 to Chapter 1 of Division 1 of Title 1 of said code; Chapter 3 to Division 2 of Title 1 of said code; Article 5 to Chapter 2 of Division 4 of Title 1 of said code; Article 5 to Chapter 1 of Division 7 of Title 1 of said code; Chapters 6.5 and 10 to Division 7 of Title 1 of said code; Chapter 5 to Division 1 of Title 2 of said code; Chapter 9 to Part 3 of Division 3 of Title 2 of said code; Parts 6.5, 8, 10, and 11 to Division 3 of Title 2 of said code; Article 6 to Chapter 2 of Part 2 of Division 4 of Title 2 of said code; Article 3 to Chapter 9 of Part 2 of Division 3 of Title 4 of said code; and by repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1900**—An act to codify Chapter 533 of the Statutes of 1873-4, relating to public lands, by adding Sections 7535, 7536, and 7537 to the Public Resources Code, and repealing Chapter 533 of the Statutes of 1873-4.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1930**—An act to codify the County Waterworks District Act by repealing Chapter 370 of the Statutes of 1913 and adding Division 16 to the Water Code, relating to county waterworks districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1960**—An act to amend Sections 28105, 28109, 28110, 28111, 28112, 28113, 28114, 28115, 28117, 28119, 28120, 28121, 28123, 28124, 28125, 28126, 28127, 28128, 28129, 28131, 28132, 28133, 28134, 28135, 28136, 28137, 28139, 28141, 28142, 28143, 28145, 28146, 28147, 28148, 28150, 28152, 28153, 28155, and 28156 of the Government Code and to repeal Section 28101.1 of said code, relating to salaries of county officers.

Bill read second time, and ordered to third reading.

**Senator Kraft Presiding**

At 1.50 p.m., Senator Fred H. Kraft of the Fortieth District, presiding.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.51 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****THIRD READING OF SENATE BILLS**

**Senate Bill No. 1277**—An act to repeal Chapter 481 of the Statutes of 1871-2, relating to the Mormon Slough Reclamation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 555**—An act to amend Section 2842 of the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1149**—An act to amend Section 5549 of the Public Resources Code, relating to the powers and duties of the district manager of a regional park district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Powers, Sutton, Thompson, Way, Weybret, and Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1572**—An act to add Section 5072.5 to the Public Resources Code, relating to the abandonment of easements acquired for riding and hiking trails, and flood purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, Powers, Thompson, Way, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

## Secretary J. A. Beek at the Desk

**Senate Bill No. 1605**—An act to repeal Section 1552.4 of the Welfare and Institutions Code and to add Section 1552.4 to said code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, Parkman, Powers, Sutton, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

## President of the Senate Presiding

At 2.24 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1598**—An act to amend Sections 12, 13, 14, 16, 17, and 18 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275 of the Statutes of 1949), relating to the taxing powers, issuance of bonds, and financing for flood control projects, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator Breed.

## Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1902**—An act to codify certain statutes relating to forestry, by adding Chapters 3.5, 7.5, and 10 to Division 4 of the Public Resources Code, and repealing certain statutes specified herein.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 41**—An act to amend Section 2005 of the Welfare and Institutions Code, to repeal Section 2183.9 of said code, and to add Section 2183.9 to said code, relating to aid to the aged.

Bill read third time, and presented by Senator Weybret.



The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1785**—An act to amend Section 6652 of the Welfare and Institutions Code, relating to charges for services furnished by the Department of Mental Hygiene.

Bill read third time.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Council that Assembly Bill No. 1785 carries an appropriation.

The President ordered Assembly Bill No. 1785 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**Assembly Bill No. 1837**—An act to amend Sections 5125, 5126, 5127, and 5128 of the Welfare and Institutions Code, relating to jury trials of mentally ill persons.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1890**—An act to codify Chapter 1384 of the Statutes of 1945, relating to the relief of hardship and destitution, by adding Chapter 5, comprising Sections 2800 to 2904, inclusive, to Division 4 of the Welfare and Institutions Code, and repealing Chapter 1384 of the Statutes of 1945.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2683**—An act to repeal Chapter 363 of the Statutes of 1913 and Section 6625 of the Welfare and Institutions Code, relating to the asexualization of idiots and fools.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

### Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 225	Assembly Bill No. 1877
Senate Bill No. 266	Assembly Bill No. 1878
Senate Bill No. 500	Assembly Bill No. 1879
Senate Bill No. 542	Assembly Bill No. 1923
Senate Bill No. 799	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 7; absent 3.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 800

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 10; committee vote: Ayes 8; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 588

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 10; committee vote: Ayes 7; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 1876

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 10; committee vote: Ayes 3; absent 7.

ED. C. JOHNSON, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 226

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 6; noes 1; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1619

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 4; noes 2; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 77

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Assembly Bill No. 240

Assembly Bill No. 1988

Assembly Bill No. 1986

Assembly Bill No. 126

Assembly Bill No. 1987

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 24, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 316

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

DONNELLY, Chairman

Above reported bill ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 720

Senate Bill No. 1194

Senate Bill No. 1116

Senate Bill No. 1850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 95

Senate Bill No. 1119

Senate Bill No. 204

Assembly Bill No. 3418

Senate Bill No. 205

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:  
Senate Bill No. 158  
Senate Bill No. 1126  
Senate Bill No. 1634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:  
Senate Bill No. 139  
Assembly Bill No. 1163

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:  
Senate Bill No. 1221  
Senate Bill No. 1222

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:  
Senate Bill No. 981  
Senate Bill No. 920

Has had the same under consideration, and reports the same back with recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:  
Senate Bill No. 1225

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:  
Assembly Bill No. 1458  
Assembly Bill No. 1460  
Assembly Bill No. 1462  
Assembly Bill No. 1463

Assembly Bill No. 1465  
Assembly Bill No. 1466  
Assembly Bill No. 1784

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

TENNEY, Chairman

Above reported bills ordered to second reading.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2.50 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1664**

Senator Hatfield moved that Senate Bill No. 1664 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1664**—An act to amend Section 28134 of the Government Code, relating to the compensation of county officers.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "five thousand dollars (\$5,000)", and insert "seven thousand five hundred dollars (\$7,500)".

**Amendment No. 2**

On page 2, line 1, of said bill, strike out "five dollars (\$5)", and insert "three dollars (\$3)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1653**

Senator Hatfield moved that Senate Bill No. 1653 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1653**—An act to amend Section 10500, and to repeal Sections 10501, 10502, and 10503, of the Water Code, relating to appropriation of water.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "heretofore and hereafter".

**Amendment No. 2**

On page 1, line 23, of said bill, after "priorities", insert "and rights".

**Amendment No. 3**

On page 1, lines 24 and 25, of said bill, strike out "pursuant to the provisions of Section 10500", and insert "as though Sections 10501 and 10503 had not been repealed".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 965**

Senator Thompson moved that Senate Bill No. 965 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 965**—An act to amend Section 20373 of the Education Code, relating to state employees.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 21126.5 to,".

**Amendment No. 2**

On page 1, of said bill, after line 18, insert

"SEC. 2. Section 21126.5 is added to the Education Code, to read: 21126.5. The State Personnel Board shall establish and adjust the salaries of the superintendent, members of the teaching staff, officers and employees of the California Maritime Academy in the same manner and following the same procedures as in the establishment and adjustment of state civil service salaries."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 638**

Senator Thompson moved that Senate Bill No. 638 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 638**—An act to amend Section 20302 of the Education Code, relating to the Public School System.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, strike out "20302", and insert "20343.1".

**Amendment No. 2**

On page 1, line 2, of the title of said bill, strike out "Public School System", and insert "refund of student fees in state colleges".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1 of said bill, strike out lines 1 through 4, and insert

"SECTION 1. Section 20343.1 of the Education Code is amended to read: 20343.1. The unexpended portion of any fee, as determined by regulations prescribed by the Director of Education and approved by the Department of Finance,

collected [on or after January 1, 1943,] from a student in any state college may [, upon approval of the Department of Education,] be refunded to such person."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 704

Senator Thompson moved that Senate Bill No. 704 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 704**—An act to add Section 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to use of highway funds for grade crossing separation or protection work on county roads and city streets.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, after line 27 of the printed bill, insert

"SEC. 3. Section 2108.5 is added to the Streets and Highways Code, to read:

2108.5. The division of expense of such grade crossing separation or protection work on county roads and city streets shall be based and apportioned upon the respective benefits, if any, to be received from the construction, alteration, relocation, or abolition of such crossings or the separation of such grades, by any railroad or street railway corporation affected, or the State, or any county, municipality, or other political subdivision affected."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

#### RESOLUTIONS

The following resolution was offered:

By Senator Dilworth:

#### Senate Resolution No. 93

Relative to the new son of Senator John McCarthy

WHEREAS, Members of this Senate have received the happy tidings of the birth of a nine pound son in the family of Hon. John F. McCarthy, Senator from Marin County; and

WHEREAS, Our esteemed colleague from San Rafael, now in the full vigor of young manhood has four sons to cheer him and his lovely wife; now, therefore, be it

Resolved, That his colleagues in this Senate congratulate Senator and Mrs. McCarthy on this addition to their happy family group and wish for them every success with their children through the vicissitudes of childhood and that eventually there will be four charming girls to gladden their home with the joyous graces of girlhood, so "Jack" may have opportunity to exercise his managerial experience with his own baseball team.

Resolution read, and on motion of Senator Dilworth, unanimously adopted.

#### ADJOURNMENT

At 2.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, March 27, 1953.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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SENATE DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

FORTY-FIFTH CALENDAR DAY

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IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Friday, March 27, 1953

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator McCarthy, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Brown, on motion of Senator Powers, due to legislative business.

Senator Montgomery, on motion of Senator Powers, due to legislative business.

Senator Busch, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senators Burns and Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bennie Sue Parker and Vernon Garrison of Tranquillity Union High School, Fresno.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernest Sorotskin of San Francisco.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. G. Cramer of San Jose.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisors K. R. Canfield, C. W. Henry, Mrs. H. H. Carbah, and the following students of Olivehurst Elementary School: James J. Blevins, Woodrow W. Bohrn, Vincent R. Boysza, Donna J. Butler, Betty L. Carbah, Zane D. Clair, Barbara J. Davis, Vaughn I. Dayton, Betty L. Edgemon, Lewis M. Eslick, Carolyn L. Hart, Charles W. Hill, Patsy L. Jones, Larry J. Lane, Patricia J. Luker, Madaline Y. McDonald, Elaine E. Palmer, Albert A. Pelfrey, Louise L. Phillips, Ray L. Rossiter, Linda L. Sanders, Marjorie B. Savely, Wanda F. Scarberry, Maudie L. Simeroth, Yvonne Simino, Douglas C. Smith, Gary J. Stanfill, Betty F. Strickland, Sheila A. Baker, Donnie Hampton, Louise F. Lowery, and Charles E. Self.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Claire Hollandsworth, Parents Mrs. Inez Nunes, Mrs. Alice Russell, Mrs. W. B. Macomber, Mrs. Maugerite Carey, Mrs. Chase Neary, Eldon Smith, Mrs. Dorothy Hall, and the following students of the Hooker Oak School, Chico: Tim Abbott, Ronald Adams, Alvin Becker, Judy Brooke, Elden Brown, Danny Button, Curtis Coffield, Ronald Findlay, Susan Foster, Patricia Ellen Gillon, Leo Hart, Charles Haskell, Walter Hedglin, Donna Hoebel, Frank Howard, Donnie Kemp, Ronnie Kuchinski, Rojan Latham, Gloria Masterson, Gary McNair, Walter Moore, Richard Nunes, Micky Prieheim, Ricky Rieves, Bob Rivet, Janice Robinson, Sharon Ann Roop, Bobby Russell, Todd Shelton, Roy Shults, Elaine Sitton, George Spangler, Lynn Wagner, Donald Wetmore, Harvey White, Ronald Whittom, Michael Wiebe, Penny Osborn, Bonnie Kurzdorfer, Dirk Van Buskirk, Charles Allen, Mike Attinger, Alan Bain, Chuck Birtel, Richard Bradley, Bobby Fortino, Bruce Giampaoli, Larry Gobin, John Hanson, Steven Hedglin, Mike Hicks, Gary Kilpatrick, Eugene Murphy, Douglas Neary, Ronnie Pope, Charles Puglisi, Ray Rolls, Don Sims, Danny Smith, Jeffery Smith, Manford Tompkins, Tommy Walker, Brian Waters, Sharon Carey, Nancy Carpenter, Lucille Crosby, Carol Davis, Merrily Johnson, Dorothy Mackey, Janice Macomber, Stephanie Murray, Noel Nadeau, Sharon Peck, Marilyn Rucker, Joyce Shaw, Arlene Spurgin, Margaret Vincent, and Claudia White.

On request of Senators Powers and Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers C. A. Jacobs, John Rabe; Room Mothers Mrs. R. S. Currey, Mrs. Joseph Lewis, and the following students of the Dixon Unified School District: Robin Alexander, Donald Allen, Floyd Ash, Lloyd Ash, Mary

Baines, Carolyn Charles, Ray Crawford, Corinne Currey, Sharon Forden, Albert Holdener, Dewayne Holman, Eddie Jahn, Ronnie Jahn, Beeler Jones, Margaret Keeshan, Robert Kennedy, Pat Mack, Richard Martin, Herb Millang, Charles Murray, Elizabeth Null, Frances Obelleiro, Donald Ogren, Norma Petersen, Dolores Powell, Alfred Pullium, Conreux Robben, Clarence Vieira, Tommy Wayne, Douglas Weber, Max Wright, Patsy Younger, Pete Wadsworth, Wayne Alvis, James Andrews, Bart Bixel, Ralph Bulkley, Russell Chastain, Donald Cole, Dolores Darling, Leroy Darling, George Derner, Sammy Dorries, Richard Dutton, Eddie Foss, Ralph Grigsby, James Jackson, Teddie Jahn, Joe Lewis, Georgie Mendes, David Miller, Byron Muller, Eugene Nunes, Susan Olsen, Ison Page, Edmund Reeves, Bill Rogers, Louis Saragosa, Sammy Saragosa, Joan Shipman, Laura Sykora, Bob Usiak, Patsie Wadsworth, Tommy Wilson, Roy Harris, Richard Kitchen, Rosie Diaz, Dessie Light, Ardys Fox, and Barbara Hale.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul Eugene Pierce, Sr., Katherine Elane Pierce, and Paul Eugene Pierce, Jr. from Northridge.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James (Fog Horn) Murphy of Los Angeles.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.10 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 276

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 91  
Assembly Bill No. 532  
Assembly Bill No. 536  
Assembly Bill No. 537  
Assembly Bill No. 647  
Assembly Bill No. 829  
Assembly Bill No. 830  
Assembly Bill No. 984  
Assembly Bill No. 1052  
Assembly Bill No. 1217  
Assembly Bill No. 1255  
Assembly Bill No. 1407

Assembly Bill No. 1753  
Assembly Bill No. 1756  
Assembly Bill No. 1757  
Assembly Bill No. 1758  
Assembly Bill No. 1761  
Assembly Bill No. 1766  
Assembly Bill No. 2212  
Assembly Bill No. 2263  
Assembly Bill No. 2343  
Assembly Bill No. 2438  
Assembly Bill No. 2867  
Assembly Bill No. 2871

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 91**—An act to add Sections 11656.6 and 11656.7 to the Insurance Code, relating to group workmen's compensation policies.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 532**—An act to repeal Sections 73394, 73395, 74044, and 74045 of, and to add Sections 73394 and 74044 to, the Government Code, relating to the marshal of municipal courts in Santa Clara County.

Referred to Committee on Local Government.

**Assembly Bill No. 536**—An act to amend Section 3406 of the Civil Code, relating to rescission of contracts.

Referred to Committee on Judiciary.

**Assembly Bill No. 537**—An act to amend Sections 15502 and 15525 of the Corporations Code, relating to limited partnerships.

Referred to Committee on Judiciary.

**Assembly Bill No. 647**—An act to amend Sections 18527, 18935, 18950, 18953, 18974.5, 18975, 19120, 19253, 19302, and 19681 of the Government Code, relating to state civil service.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 829**—An act to cure defects in maps or plats filed for record prior to April 1, 1953, and in deeds or conveyances referring to such maps.

Referred to Committee on Judiciary.

**Assembly Bill No. 830**—An act to amend Section 322 of the Probate Code, relating to notice of claim to real property of a decedent.

Referred to Committee on Judiciary.

**Assembly Bill No. 984**—An act to add Sections 981.14, 981.6, and 981.8 to the Military and Veterans Code, relating to educational benefits for veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1052**—An act to amend Section 8 in an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1217**—An act to amend Section 5003 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.



**Assembly Bill No. 1255**—An act to amend Section 14254 of the Financial Code, relating to the issuance of a certificate to engage in business as a credit union, under the Credit Union Law.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1407**—An act to amend Section 1200 of the Probate Code, relating to notices, orders and procedures.

Referred to Committee on Judiciary.

**Assembly Bill No. 1753**—An act to amend Section 204 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

**Assembly Bill No. 1756**—An act to amend Section 144 of the Code of Civil Procedure, relating to attendants, furniture, furnishings, heat, light, equipment, stationery, supplies and other personal property, and rooms for superior, municipal and justice courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1757**—An act to amend Section 69955 of the Government Code, relating to the reporting notes taken by court reporters.

Referred to Committee on Judiciary.

**Assembly Bill No. 1758**—An act to amend Section 269a of the Code of Civil Procedure, relating to the reporting notes taken by court reporters.

Referred to Committee on Judiciary.

**Assembly Bill No. 1761**—An act to amend Section 1023 of the Code of Civil Procedure, relating to the fees of referees.

Referred to Committee on Judiciary.

**Assembly Bill No. 1766**—An act to amend Section 68073 of the Government Code, relating to attendants, furniture, furnishings, heat, light, equipment, stationery, supplies and other personal property, and rooms for superior, municipal and justice courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2212**—An act to add Section 37.1 to the Municipal and Justice Court Act of 1949, relating to sick leave and vacations for officers, employees, and attaches of municipal courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 2263**—An act to amend Section 721 of the Welfare and Institutions Code, relating to petitions to declare minors wards of the juvenile court and to free such minors from the custody and control of the parents.

Referred to Committee on Judiciary.

**Assembly Bill No. 2343**—An act to add Section 1110a to the Penal Code, relating to the crime of receiving or buying stolen property.

Referred to Committee on Judiciary.

**Assembly Bill No. 2438**—An act to amend Section 137.3 of the Civil Code, relating to costs and attorney's fees in actions for divorce and annulment.

Referred to Committee on Judiciary.

**Assembly Bill No. 2867**—An act to amend Sections 550 and 567 of the Military and Veterans Code, relating to the organization and maintenance of the California National Guard Reserve at cadre strength during such time as may be necessary, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2871**—An act to amend Sections 12333, 12336, 12901, 13622, 13852, 13886, 13911 and 14162, and the chapter headings of Chapters 11 (first) and 13, Division 6, of the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Public Utilities.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 658

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 86

Senate Bill No. 868

Senate Bill No. 138

Senate Bill No. 869

Senate Bill No. 186

Senate Bill No. 870

Senate Bill No. 278

Senate Bill No. 1433

Senate Bill No. 526

Senate Bill No. 1434

Senate Bill No. 548

Senate Bill No. 1662

Senate Bill No. 549

Senate Bill No. 1806

Senate Bill No. 647

Senate Bill No. 1923

Senate Bill No. 850

Senate Bill No. 1931

And reports the same correctly engrossed.

POWERS, Chairman

### Committee on Institutions

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Institutions, to which was referred:

Senate Bill No. 1946

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

COOMBS, Chairman

Above reported bill ordered to second reading.

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator James E. Cunningham to serve as a member from the Senate on the State Public Works Board, Ch. 145, Stats. 1st Ex. Sess. 1946, Ch. 740, Stats. 1947, to fill the vacancy of Senator Mayo, deceased.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Dilworth as a member from the Senate to serve on the State School Building Finance Committee, S. B. No. 1417, Ch. 922, 1949, to take the place of Senator Mayo, deceased.

POWERS, Chairman

## LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON SAN FRANCISCO BAY AREA  
METROPOLITAN RAPID TRANSIT PROBLEMSSENATE, CALIFORNIA LEGISLATURE  
San Francisco 2, California

*Hon. Goodwin J. Knight, President of the Senate*  
*State Capitol*  
*Sacramento, California*

DEAR SIR: Pursuant to the provisions of the Senate Resolution No. 194, the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems was duly organized.

The committee has carefully considered and analyzed all available facts relating to the rapid transit needs of the San Francisco Bay Area. It has analyzed the reports and recommendations of the San Francisco Bay Area Rapid Transit Commission and has studied the suggestions advanced by other interested groups and individuals. The subject was further explored in detail at several public meetings conducted by the committee. Particular attention was given to the development of legislative action vitally necessary for the creation of rapid transit facilities to serve the San Francisco Bay Area. It submits herewith its report.

Respectfully submitted,

RANDOLPH COLLIER  
JESS R. DORSEY  
LUTHER E. GIBSON  
JOHN F. MCCARTHYGERALD J. O'GARA, Chairman  
ARTHUR H. BREED, JR., Vice Chairman  
GEORGE MILLER, JR.  
HARRY L. PARKMAN  
JOHN F. THOMPSON

Letter of transmittal ordered printed in the Journal, and the report submitted by the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems ordered printed in the Appendix to the Journal.

## MOTION TO PRINT REPORT

Senator O'Gara moved that 2,500 copies of the report submitted by the Senate Interim Committee on San Francisco Bay Area Metropolitan Rapid Transit Problems be printed for distribution.

Motion carried.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 225**—An act to repeal Section 39.6 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 266**—An act to amend Section 39.2 of the Fish and Game Code, relating to fish and game and the administration of the laws pertaining thereto.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 500**—An act to amend Section 1012 of the Fish and Game Code, relating to licenses.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to refuges and public shooting grounds.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

In line 2 of the title of the printed bill, strike out "refuges and".

##### Amendment No. 2

On page 1, line 4, of said bill, after "upon", insert "any"

##### Amendment No. 3

On page 1, line 9, of said bill, after "order", insert "as provided in this section. Prior to making any such order the commission shall, at an open meeting of the commission, publicly announce the contents of the order it proposes to make and at the same time shall specify a subsequent open meeting to be held not less than 30 days thereafter at which it will take final action on the proposed order".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 588**—An act to repeal Sections 650 and 659 of, and to add Section 651.1 to, the Fish and Game Code, relating to salmon, and declaring the urgency thereof.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "8, 9,".

##### Amendment No. 2

On page 1, line 12, of said bill, strike out "kind", and insert "king".

##### Amendment No. 3

On page 1, line 13, of said bill, strike out "It is unlawful"; and strike out all of lines 14 and 15.

##### Amendment No. 4

On page 1, line 20, of said bill, after "effect", insert "in so far as commercial fishing is concerned".

##### Amendment No. 5

On page 1, line 24, of said bill, strike out "Sections 651.1 and 660.1 are", and insert "Section 651.1 is".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 226**—An act to amend Section 39.2 of the Fish and Game Code, relating to fish and game and the administration of the laws pertaining thereto.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1619**—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 77**—An act to repeal Sections 1350, 1352, and 1352.1 of, and to add Sections 1350, 1350.1, and 1352 to, the Labor Code, relating to working hours of female employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor :

##### Amendment No. 1

Strike out lines 1 and 2 of the title of the bill, as amended in Senate March 4, 1953, and insert "An act to add section 1352.2 to the Labor Code, relating".

##### Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. Section 1352.2 is added to the Labor Code, to read :

1352.2. The provisions of this article limiting hours of work to 48 hours in any week shall not apply to persons employed by a seasonal resort employer during the resort season. As used in this section a "seasonal resort employer" means an employer who (a) does 80 percent or more of his total annual business during a period of five months; and (b) during such five months (referred to in this section as "the resort season") transacts the major portion of his business with persons on vacation or with hotels, inns or resorts serving such persons."

##### Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 26, and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 316**—An act to amend Section 7717 of, and to add Section 18153 to, the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education :

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 10, 1953, strike out "7717", and insert "4714".

##### Amendment No. 2

On page 1 of said bill, as amended, strike out line 1 to 28, inclusive, and on page 2, strike out lines 1 to 34, inclusive, and insert

"SECTION 1. Section 4714 of the Education Code is amended to read :

4714. Any unified school district maintaining a junior college may issue bonds not to exceed 15 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. Any unified school district not maintaining a junior college may issue bonds not to exceed 10 percent of the taxable property of the district as shown by such equalized assessment.

For the purposes of Chapters 1.6 and 1.9 of Division 3 only, any unified school district shall be considered to have a bonding capacity in the amount permitted by law for an elementary school district, a bonding capacity in the amount permitted by law for a high school district, and if the district maintains a junior college, a bonding capacity in the amount permitted by law for a junior college district. Any unified district, if otherwise eligible, may receive an apportionment for elementary school purposes alone, for high school purposes alone, for junior college purposes alone, or for any combination of such purposes.

In computing the outstanding bonded indebtedness of any unified school district for all purposes of this section, any outstanding bonds shall be deemed to have been

issued for elementary school purposes, high school purposes and junior college purposes, respectively, in the respective amounts that the proceeds of the sale of such outstanding bonds, excluding any premium and accrued interest received on said sale, were or have been allocated by the governing board of such unified school district to each of said purposes respectively."

#### Amendment No. 3

On page 2 of said bill, as amended, strike out lines 46 to 52, inclusive, and on page 3, strike out lines 1 to 7, inclusive, and insert

"In order to facilitate the rapid construction of schools in areas where new schools are most urgently needed before the 1953 fall school term, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 720**—An act to amend Sections 1, 2, 3, 5, and 7 and repeal Section 4 of an act entitled "An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer," approved May 11, 1937 (Ch. 263, Stats. 1937), and to amend Section 48 of the Fish and Game Code, Section 1734 of the Labor Code, Section 2274 of the Public Resources Code, Section 11681 of the Health and Safety Code, Section 2455 of the Business and Professions Code, and Sections 68101, 68102, 68103, and 68104 of the Government Code, relating to the time and manner of reporting and transmitting fines and forfeitures in which the State has an interest.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "5, and 7", and insert "and 5".

##### Amendment No. 2

In line 7 of the title of said bill, strike out "Section 11681", and insert "Sections 11681, 11682, 11684, and 11686".

##### Amendment No. 3

In line 9 of the title of said bill, strike out "68103, and 68104", and insert "and 68103".

##### Amendment No. 4

In line 10 of the title of said bill, after the comma, insert "and to repeal Section 11685 of the Health and Safety Code,".

##### Amendment No. 5

On page 2 of said bill, strike out lines 29 to 33, inclusive.

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 6

On page 4 of said bill, after line 21, insert

"Sec. 7.1. Section 11682 of said code is amended to read:

11682. Judges and magistrates who collect fines or forfeitures under this division shall keep a record thereof, and, upon the imposition of any such fine or forfeiture, shall [immediately] at least monthly transmit a record of it to the [State Controller] county auditor. The county auditor shall transmit a record of the imposition, collection and payment of such fines or forfeitures to the State Controller at the time of transmittal of each warrant to the State Treasurer pursuant to this article.

Sec. 7.2. Section 11684 of said code is amended to read:

11684. Whenever a fine has been imposed for violation of this division, and before the full payment of the fine a sentence of imprisonment is imposed instead, the imprisonment shall be recorded and accounted for to the [State Controller] county auditor.

SEC. 7.3. Section 11686 of said code is amended to read:

11686. The State Controller shall check the reports and records [of each judge and magistrate] *received by him* with the transmittals of fines and forfeitures and whenever it appears that fines or forfeitures have not been transmitted the *county auditor shall and the State Controller [shall] may* bring suit to enforce their collection or transmittal, or both.

SEC. 7.4. Section 11685 of said code is repealed."

**Amendment No. 7**

On page 5 of said bill, strike out lines 38 to 43, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1116**—An act to amend Section 126, and to repeal Section 120, of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1, lines 10 and 11, of the printed bill, strike out "or other public purpose".

**Amendment No. 2**

On page 1, line 12, of said bill, after "States", insert ", or for other public purpose authorized by act of Congress".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1194**—An act to repeal Section 5154 of the Public Resources Code, and Article 3 of Chapter 3 of Division 1, comprising Sections 96 and 97, of the Agricultural Code, and to add Sections 25905 to 25908, inclusive, to the Government Code, relating to county fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 2, line 30, of the printed bill, as amended in Senate March 20, 1953, strike out "the allocation of state money", and insert "the use of money allocated or appropriated by the State".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1850**—An act to amend Section 21 of the Alcoholic Beverage Control Act (Chapter 330 of Statutes of 1935), relating to applications for on-sale liquor licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, before the comma, insert "and to amend Section 23986 of the Business and Professions Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 2 after line 14 of the printed bill, insert

"SEC. 2. Section 23986 of the Business and Professions Code is amended to read: 23986. Any applicant for an on-sale license shall, within [five (5)] *ten (10)* days after filing his application with the board, cause a notice of the application, giving the name or names of the applicant and the premises where the business is to be conducted, to be published once in a newspaper of general circulation in the city in which the premises are situated, or if the premises are not in a city the publication shall be made in a newspaper of general circulation nearest the premises where the business is to be conducted. The form of the notice shall be prescribed by the board. Affidavit of publication shall be filed with the board prior to the issuance of any license.

SEC. 3. Section 2 of this act becomes operative only if Division 9 of the Business and Professions Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said Division 9 takes effect, at which time Section 21 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) amended by this act is repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 198**—An act to amend Section 19258 of the Government Code, relating to the personnel of the state civil service.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "shall", and insert "may".

##### Amendment No. 2

On page 1, lines 4 and 5, of said bill, strike out "personal articles", and insert "eye glasses, hearing aids, dentures, watches".

##### Amendment No. 3

On page 1, line 5, of said bill, after "Clothing", insert "necessarily worn or carried when".

##### Amendment No. 4

On page 1, line 9, of said bill, after "Mental Hygiene", strike out the period, and insert "; or where such damage results from any act of a blind, deaf, or palsied student or patient in any facility operated by the Department of Education for the blind, deaf or cerebral palsied."

##### Amendment No. 5

On page 1, line 10, of said bill, strike out "personal articles", and insert "eye glasses, hearing aids, dentures, watches".

##### Amendment No. 6

On page 1, line 12, of said bill, strike out "personal articles", and insert "eye glasses, hearing aids, dentures, watches".

##### Amendment No. 7

On page 1, line 11, of said bill, strike out "shall", and insert "may".

##### Amendment No. 8

On page 1, lines 13 and 14, of said bill, strike out "personal articles", and insert "eye glasses, hearing aids, dentures, watches".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.



**Senate Bill No. 1126**—An act to amend Section 61.2 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), relating to the sale of alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, before the comma, insert "and to amend Section 25660 of the Business and Professions Code".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, after line 23, of the printed bill, insert

"SEC. 2. Section 25660 of the Business and Professions Code is amended to read: 25660. In any criminal prosecution or proceeding for the suspension or revocation of any license based upon violation of Section 25658, proof that the defendant licensee, or his agent or employee, demanded and was shown, before furnishing any alcoholic beverage to a minor, a motor vehicle operator's license or a registration certificate issued under the Federal Selective Service Act or [other bona fide documentary] *any other document of official issue by a governmental agency pursuant to the requirements of a federal or state law containing evidence of majority and identity of the person, and that the defendant licensee or his agent or employee exercised reasonable care in examining said documentary evidence and made a reasonable effort to ascertain whether such documentary evidence correctly identified the person presenting it*, is a defense to the prosecution or proceeding for the suspension or revocation of any license.

SEC. 3. Section 2 of this act becomes operative only if Division 9 of the Business and Professions Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said Division 9 takes effect, at which time Section 61.2 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) amended by this act is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 1634**—An act to amend Section 143, and to repeal Section 144 of the Education Code, relating to deputy superintendents of public instruction.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 5, 1953, strike out "143, and to repeal Section", and insert "145 and to repeal Sections 143 and".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1 of said bill, as amended, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 145 of the Education Code is amended to read: 145. The Superintendent of Public Instruction may employ *one Deputy Superintendent of Public Instruction*, assistant superintendents and other necessary clerical

and expert assistants [in addition to statutory employees enumerated in Section 143] , and may fix the compensation of all statutory and other employees *as provided by law*, except as otherwise provided.

SEC. 2. Sections 143 and 144 of said code are repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 136**—An act to amend Sections 11421, 11422, and 11440 of the Government Code, relating to administrative regulations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1221**—An act to amend Section 3041 of the Penal Code, relating to the time determination of parole may be made.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1222**—An act to amend Section 3020 of the Penal Code, relating to the authority of board in determining and redetermining term of imprisonment.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 681**—An act to amend Section 360.5 of the Code of Civil Procedure, relating to waivers of the statute of limitations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 920**—An act to amend Section 1007 of the Civil Code, relating to the acquisition of title by prescription.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1225**—An act to amend Section 209 of the Penal Code, relating to the punishment for kidnaping of person or holding of state property in defiance of official orders.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to add Section 4503 to the Penal Code, relating to the punishment for the holding of persons as hostages".

##### Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 4503 is added to the Penal Code, to read:

4503. Any prisoner who holds as hostage any person within any prison or facility under the jurisdiction of the Director of Corrections, or who by force or threat of force holds any person or persons against their will in defiance of official orders within any such prison or facility, shall be guilty of a felony and shall be imprisoned in the state prison for a term not less than five years."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1877**—An act to repeal Division 6 of the Fish and Game Code, relating to repeals effected by said code.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1878**—An act to codify Chapter 76 of the Statutes of 1933 by repealing said chapter and adding Chapter 1.5 to Part 3 of Division 4 of the Fish and Game Code, relating to the importation and transportation of wild birds and animals.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1879**—An act to codify Chapters 357 and 363 of the Statutes of 1951 by repealing said chapters and adding Articles 4 and 5 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal hunting and fishing licenses and privileges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1923**—An act to codify Chapter 815 of the Statutes of 1933 by repealing said chapter and adding Part 3 to Division 3, Title 1, of the Corporations Code, relating to cooperative associations for the handling, marketing, and distribution of fish and fishery products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 240**—An act to amend Section 4656 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1986**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation for industrial disease.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1987**—An act to repeal Section 1944.1 of the Labor Code, relating to the employment of certain aliens.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1988**—An act to amend Section 1204 of the Labor Code, relating to the employment of women and minors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 126**—An act to amend Section 6413 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1163**—An act to amend Sections 13920 and 16001 of the Government Code, relating to pay of state officers and employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1458**—An act to add Section 1321 to Article 1 of Chapter 2 of Title 10 of Part 3, and to repeal Section 1477, of the Code of Civil Procedure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1460**—An act to amend Section 1313 of, and to add Sections 1313.1 and 1356 to, the Code of Civil Procedure, relating to unclaimed property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1462**—An act to amend Sections 1143 and 1144 of the Probate Code, relating to estates of deceased persons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1463**—An act to add Section 1147.5 to the Probate Code and to add Section 1449 to the Code of Civil Procedure, relating to estates of deceased persons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1465**—An act to amend Section 1153 of the Probate Code, relating to reports by public administrators.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1466**—An act to amend Section 1575 of the Code of Civil Procedure and Section 1056.5 of the Insurance Code, relating to the disposition of unclaimed moneys in connection with the dissolution or liquidation of insurance companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1784**—An act to amend Section 6720 of, and to add Section 6722 to, the Welfare and Institutions Code, relating to escape from a state hospital or Veterans' Administration Hospital or facility.

Bill read second time, and ordered to third reading.

#### MOTION TO RECONSIDER

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

#### Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to have his motion to reconsider the vote, whereby Senate Bill No. 762 was passed, continued until the next legislative day.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1507**—An act to amend Section 18412 of the Health and Safety Code, relating to auto courts and resorts.

#### Motion to Amend

Senator Dilworth moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 1, of the printed bill as amended in Senate March 26, 1953, strike out "5821", and insert "18412".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 526**—An act to amend Section 26472 of the Health and Safety Code, relating to adulterated foods.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 186**—An act to amend Section 13101 of the Government Code, relating to condemnation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 548**—An act to add Section 4322 to the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 548:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 18, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 548**, "An act to add Section 4322 to the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the author as a codification of existing law. The Legislative Counsel advises me that it makes no substantive change in existing law, but that it contains an appropriation.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 549**—An act to add Article 12 to Chapter 17 of Division 6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 549:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 18, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 549**, "An act to add Article 12 to Chapter 17 of Division 6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the author as a codification of existing law. The Legislative Counsel advises me that it makes no substantive change in existing law, but that it contains an appropriation.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 647**—An act to add Sections 12224, 12300.2, 12301.1, 12307.1, 12312, and 12313 to, and to amend Sections 12002, 12205, and 12309 of, the Financial Code, and to add Article 13, comprising Section 1576, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to licensees under the Check Sellers and Cashers Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 658**—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 658:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 18, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN :

**Senate Bill No. 658**, "An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the author as a codification of existing law. The Legislative Counsel advises me that it makes no substantive change in existing law, but that it contains an appropriation.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before the final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 833**—An act to amend and renumber Section 20358 of the Education Code, as added by Chapter 1640 of the Statutes of 1951, relating to the purchase of insurance in connection with driver training classes.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1223**—An act to amend Section 2900 of the Penal Code, relating to the commencement of term of imprisonment and the effect of temporary release therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

**Motion to Amend Title**

Senator Byrne moved the adoption of the following amendment to the title of Senate Bill No. 1223 :

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 26, 1953, strike out the second "the"; and strike out all of lines 2 and 3 of the title, and insert "confinement of persons convicted of felonies."

Amendment read, and adopted.

Senate Bill No. 1223 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1260**—An act to amend Section 440 of the Education Code, relating to compensation for public service in counties of the fortieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1662**—An act to amend Sections 58853, 58854, 58855, 58857 and 58859 of, and to add Sections 58850.1, 58855.1 and 58855.2 to, the Government Code, relating to change of district boundaries.

Bill read third time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in Senate March 20, 1953, after "water districts," insert "reclamation districts,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 86**—An act to repeal Sections 8, 9, 10, 11, 12, 13, and 14 of, to add Sections 8, 9, 10, 11, 12, 13, and 14 to, and to amend Section 19b of, an act entitled "An act to promote drainage," approved March 18, 1885, relating to assessments by drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 868**—An act to amend Section 442 of the Education Code, relating to the compensation of the county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 869**—An act to amend Section 28142 of the Government Code, relating to the compensation of county officers.

Bill read third time.



The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 870**—An act to amend Section 28152 of the Government Code, relating to the compensation of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1806**—An act to amend Section 8809 of the Streets and Highways Code, relating to improvement bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 850**—An act to amend Section 28143 of the Government Code, relating to salaries of officers in counties of the forty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 689**—An act to amend Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1492**—An act to amend Section 258.5 of the Health and Safety Code, relating to physically handicapped children.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1992**—An act to amend Section 32100.5 of the Health and Safety Code, relating to hospital districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1993**—An act to amend Sections 32001 and 32002 of the Health and Safety Code, relating to hospital districts and validating certain proceedings with respect to such districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1998**—An act to amend Section 209 of the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 921**—An act to amend Section 5102 of the Welfare and Institutions Code, relating to persons suffering from epilepsy and their commitment to a state hospital.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1895**—An act to codify certain statutes, relating to the organization, operation, and maintenance of a system of state and local government by adding Sections 185, 1229, 6852, 12574, 16301.5, 26027, 26028, 27336, and 37360, to the Government Code; Article 4.5 to Chapter 1 of Division 1 of Title 1 of said code; Chapter 3 to Division 2 of Title 1 of said code; Article 5 to Chapter 2 of Division 4 of Title 1 of said code; Article 5 to Chapter 1 of Division 7 of Title 1 of said code; Chapters 6.5 and 10 to Division 7 of Title 1 of said code; Chapter 5 to Division 1 of Title 2 of said code; Chapter 9 to Part 3 of Division 3 of Title 2 of said code; Parts 6.5, 8, 10, and 11 to Division 3 of Title 2 of said code; Article 6 to Chapter 2 of Part 2 of Division 4 of Title 2 of said code; Article 3 to Chapter 9 of Part 2 of Division 3 of Title 4 of said code; and by repealing certain acts specified herein.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

**NOES**—None.

#### Motion to Amend Title

Senator Harold T. Johnson moved the adoption of the following amendments to the title:

#### Amendment No. 1

In line 9 of the title of the printed bill, strike out "and 10", and insert "10, and 11".

#### Amendment No. 2

In line 11 of the title of said bill, strike out "10, and 11", and insert "and 10".

Amendments read, and adopted.

Assembly Bill No. 1895 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 1900**—An act to codify Chapter 533 of the Statutes of 1873-4, relating to public lands, by adding Sections 7535, 7536, and 7537 to the Public Resources Code, and repealing Chapter 533 of the Statutes of 1873-4.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1930**—An act to codify the County Waterworks District Act by repealing Chapter 370 of the Statutes of 1913 and adding Division 16 to the Water Code, relating to county waterworks districts.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1960**—An act to amend Sections 28105, 28109, 28110, 28111, 28112, 28113, 28114, 28115, 28117, 28119, 28120, 28121, 28123, 28124, 28125, 28126, 28127, 28128, 28129, 28131, 28132, 28133, 28134, 28135, 28136, 28137, 28139, 28141, 28142, 28143, 28145, 28146, 28147, 28148, 28150, 28152, 28153, 28155, and 28156 of the Government Code and to repeal Section 28101.1 of said code, relating to salaries of county officers.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Murdy, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.

**NOES**—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.44 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 378

Senator Cunningham moved that Senate Bill No. 378 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 378**—An act to add Chapter 8, comprising Sections 5601 to 5672, inclusive, to Division 2 of the Public Utilities Code, relating to the regulation of dump truck carriers.

Bill read second time.

#### Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

##### Amendment No. 1

On page 3, line 45 of the printed bill, strike out "6119", and insert "5619".

##### Amendment No. 2

On page 3, line 47, of said bill, strike out "one dollar (\$1).", and insert "twenty-five dollars (\$25). Any application for a permit filed pursuant to this chapter may be dismissed without prejudice if the applicant fails to comply with statutory requirements, rules, and regulations of the commission within a period of sixty (60) days after date of written notice to the applicant setting forth the deficiencies."

##### Amendment No. 3

On page 4 of said bill, strike out lines 23 and 24, and insert "(2) Such other liability protection as the commission may deem equivalent to the foregoing."

##### Amendment No. 4

On page 4, lines 27 and 28, of said bill, strike out "or an abstract of the provisions of the policy,".

##### Amendment No. 5

On page 4, lines 30 and 31, of said bill, strike out "or counterpart".



**Amendment No. 6**

On page 6, line 17, of said bill, after "other carrier", insert "or shipper".

**Amendment No. 7**

On page 7, lines 15 and 16, of said bill, strike out "considered and disposed of by the Supreme Court of this State,".

**Amendment No. 8**

On page 7, lines 19 and 20, of said bill, strike out "the Public Utilities Act", and insert "Part 1 of Division 1 of this code".

**Amendment No. 9**

On page 9 of said bill, strike out lines 19 and 20, and insert "an initial period not to exceed one year during which time it is unlawful for the carrier to conduct any operations as a dump truck carrier. Additional suspensions shall not be granted unless good cause is shown and approved by the commission. A suspended permit may be reinstated providing the carrier files a written request for reinstatement and files evidence of adequate liability protection as required in Article 3 of this chapter, prior to the expiration of the suspended period."

**Amendment No. 10**

On page 9, line 23, of said bill, strike out "and the surrender to the commission".

**Amendment No. 11**

On page 9, line 26, of said bill, strike out "restore the permit and return", and insert "issue".

**Amendment No. 12**

On page 9 of said bill, strike out lines 27 and 28, and insert "such identification."

**Amendment No. 13**

On page 9, lines 30 and 31, of said bill, strike out "Any permit not exercised for a period of one year shall lapse and terminate."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 64**

Senator Thompson moved that Senate Bill No. 64 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 64**—An act to amend Section 66e of the Code of Civil Procedure and Section 69600 of the Government Code, relating to the number of judges of the Superior Court in the County of Santa Clara, providing for the appointment of an additional judge and for compensation.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 66e of the Code of Civil Procedure and Section 69600", and insert "Sections 66e and 79.43 of the Code of Civil Procedure and Sections 69600 and 69683".

**Amendment No. 2**

On page 1, line 3, of said bill, strike out "six", and insert "seven".

**Amendment No. 3**

On page 1, line 7, of said bill, strike out "six", and insert "seven".

**Amendment No. 4**

On page 1, line 10, of said bill, strike out "one judge", and insert "two judges".

**Amendment No. 5**

On page 1, line 15, of said bill, strike out "one additional judge", and insert "two additional judges".

**Amendment No. 6**

On page 1, line 17, of said bill, strike out "judge", and insert "judges".

**Amendment No. 7**

On page 1, line 20, of said bill, strike out "judge", and insert "judges".

**PRINTER'S NOTE**—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 8**

On page 2 of said bill, strike out lines 1 to 5, inclusive, and insert

SEC. 5. Section 79.43 of the Code of Civil Procedure is amended to read:  
79.43. The annual salary of each judge of the Superior Court in and for the County of Santa Clara is [twelve thousand five hundred dollars (\$12,500)] *sixteen thousand dollars (\$16,000)*.

SEC. 6. Section 69683 of the Government Code is amended to read:

69683. The annual salary of each judge of the Superior Court of the County of Santa Clara is [fourteen thousand two hundred fifty dollars (\$14,250)] *sixteen thousand dollars (\$16,000)*.

SEC. 7. Sections 2 and 6 of this act become effective only if Title 8 of the Government Code is enacted by the Legislature at its 1953 Regular Session, and in such case at the same time as said Title 8 takes effect, at which time Sections 69e and 79.43 of the Code of Civil Procedure are repealed."

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 420**

Senator Thompson moved that Senate Bill No. 420 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 420**—An act to amend Section 66e of the Code of Civil Procedure, relating to the number of judges in the Superior Court in the County of Santa Clara and providing for the appointment of additional superior court judges in and for the County of Santa Clara, and for their compensation.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, before "judges", insert "seven".

**Amendment No. 2**

On page 1, line 6, of said bill, after "appoint", insert "two".

**Amendment No. 3**

On page 1, line 11, of said bill, after "1954," insert "two".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 296**

Senator Thompson moved that Senate Bill No. 296 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 296**—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment.

**Amendment No. 1**

On page 1 of the printed bill, after line 5, insert

"To the County of Santa Clara for road purposes, notwithstanding Section 6503, Welfare and Institutions Code, and with the consent of the Director of Mental Hygiene, the interest of the State in and to that certain roadway known as Malavos Lane, leading from the San Jose-Alviso Highway to the annex property of Agnews State Hospital in Santa Clara County."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1181**

Senator Collier moved that Senate Bill No. 1181 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1181**—An act to revise the system by which revenues are collected for the support of the public streets and highways of the State, and, for that purpose, to amend Sections 130, 140, 140.3, 141, 143, 159, 160, 164, 164.5, 164.7, 182.1, 371, 372, 372.3, 372.5, 373, 376, 378, and 384 of, and to add Sections 38.2, 50.2, 140.5, 155.5, 372.1, 372.2, and 373.3 to, the Vehicle Code; and to repeal Section 9654 of, to amend Sections 8651, 9606.7, 9651, 10755, 10756, 10757, 10851, 10854, and 10856 of, and to add Section 9654 to, the Revenue and Taxation Code.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "which", insert "certain".

**Amendment No. 2**

In line 3 of the title of said bill, strike out "130, 140, 140.3," and strike out lines 4 to 10, inclusive, of the title, and insert "§804, §808, and §256 of, to add Sections §610, §611, §651.5, §706, §257, and §258 to, and to repeal Part 4 of Division 2 of, the Revenue and Taxation Code, and to add Section 372.1 to the Vehicle Code, and providing that this act shall take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 of said bill, strike out line 1, and insert:

"SECTION 1. Section §651.5 is added to the Revenue and Taxation Code, to read: §651.5. A supplemental excise tax is hereby imposed at the rate of four and one-half cents (\$0.045) per gallon on the use in any heavy motor vehicle of fuel by any user thereof.

SEC. 2. Section §604 of the Revenue and Taxation Code is amended to read:

§604. "Fuel" includes:

(a) For purposes of the tax imposed by Section §651, any combustible gas or liquid, by whatever name the gas or liquid may be known, or sold, of a kind used in an internal combustion engine for the generation of power to propel a motor vehicle on the highways, except fuel that is subject to the tax imposed by Part 2 of this division.

(b) For purposes of the tax imposed by Section §651.5, fuel included in any of this section and fuel that is subject to the tax imposed by Part 2 of this division.

SEC. 3. Section §808 of the Revenue and Taxation Code is amended to read: §808. "User" includes any person who, within the meaning of the term "use" as defined in this chapter, uses fuel as defined in Section §604(a), to use in a heavy motor vehicle and that is subject to the tax imposed by Part 2 of this division.

SEC. 4. Section §610 is added to the Revenue and Taxation Code, to read:

§610. "Heavy motor vehicle" means:

(a) Any motor vehicle having an unladen weight of 6,001 pounds or more, and

(b) Any truck tractor having an unladen weight of 5,001 pounds or more.

SEC. 5. Section §611 is added to the Revenue and Taxation Code, to read:

§611. "Tax" means the tax imposed by Section §651 or §651.5, or the taxes imposed by both sections.

SEC. 6. Section §706 is added to the Revenue and Taxation Code, to read:

§706. Before operating a heavy motor vehicle upon the highways, each user shall obtain for the vehicle from the Department of Motor Vehicles plates or emblems indicating that a use fuel tax permit has been obtained in him. Each plate or emblem shall be attached to and conspicuously displayed upon the vehicle for which it was issued in such manner as the department may require. The department shall immediately notify the board of the issuance of the plates or emblems.

SEC. 7. Section §256 of the Revenue and Taxation Code is amended to read:

§256. Before registering any motor vehicle, the Department of Motor Vehicles shall ascertain from the applicant for registration whether or not the motor vehicle sought to be registered is propelled by a fuel the use of which is subject to the excise tax imposed [under this part] by Section §651. If the motor vehicle is propelled by the use of such a fuel, the department shall notify the board.

SEC. 8. Section §257 is added to the Revenue and Taxation Code, to read:

§257. The California Highway Patrol shall assist the board in the enforcement of the provisions of this part prohibiting a user from operating a heavy motor vehicle upon the highways without first obtaining the permit required by Section §701 and without displaying on the vehicle the plates or emblems required by Section §706. The California Highway Patrol shall promptly transmit to the board on a form prescribed by it information respecting any vehicle found by the California Highway Patrol to have been operated in violation of this part.

SEC. 9. Section §258 is added to the Revenue and Taxation Code, to read:

§258. The board, by contract with the Department of Agriculture, may make such arrangements as may be feasible for the use of the facilities and personnel of the department's border quarantine stations in the enforcement of the provisions of this part with respect to the operations of foreign heavy motor vehicles and the department shall enforce such conditions in accordance with such international arrangements.

SEC. 10. Part 4 of Division 2 of the Revenue and Taxation Code is hereby repealed.

SEC. 11. Section 372.1 is added to the Vehicle Code, to read:

372.1. (a) In lieu of the fees imposed in subdivision (a) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having not more than two axles and designed, used or maintained primarily for



the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule :

Unladen Weight	Fee
(1) 5,001 lbs. to and including 7,000 lbs.-----	\$14.00
(2) 7,001 lbs. to and including 8,000 lbs.-----	20.00
(3) 8,001 lbs. to and including 9,000 lbs.-----	27.00
(4) 9,001 lbs. to and including 10,000 lbs.-----	34.00
(5) 10,001 lbs. to and including 11,000 lbs.-----	40.00
(6) 11,001 lbs. to and including 12,000 lbs.-----	53.00
(7) 12,001 lbs. to and including 13,000 lbs.-----	67.00
(8) 13,001 lbs. to and including 14,000 lbs.-----	80.00
(9) 14,001 lbs. and over-----	94.00

(b) In lieu of the fees imposed in subdivision (d) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having three or more axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed under Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule :

(1) 5,001 lbs. to and including 7,000 lbs.-----	\$20.00
(2) 7,001 lbs. to and including 8,000 lbs.-----	30.00
(3) 8,001 lbs. to and including 9,000 lbs.-----	40.00
(4) 9,001 lbs. to and including 10,000 lbs.-----	50.00
(5) 10,001 lbs. to and including 11,000 lbs.-----	60.00
(6) 11,001 lbs. to and including 12,000 lbs.-----	80.00
(7) 12,001 lbs. to and including 13,000 lbs.-----	100.00
(8) 13,001 lbs. to and including 14,000 lbs.-----	120.00
(9) 14,001 lbs. to and including 15,000 lbs.-----	140.00
(10) 15,001 lbs. and over-----	160.00

SEC. 12. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect, but shall not become operative until October 1, 1953, and the in lieu registration fee provided for in Section 11 of this act shall not be applicable to vehicles registered in this State on or before September 30, 1953, until the first renewal of registration of such vehicles after said date."

#### Amendment No. 4

On page 1, strike out lines 2 to 19, inclusive; and strike out pages 2 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 75	Senate Bill No. 1223
Senate Bill No. 260	Senate Bill No. 1260
Senate Bill No. 689	Senate Bill No. 1507

And reports the same correctly engrossed.

POWERS, Chairman

#### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 483

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1977

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 719

Assembly Bill No. 1046

Senate Bill No. 1067

Assembly Bill No. 1127

Assembly Bill No. 599

Assembly Bill No. 1129

Assembly Bill No. 600

Assembly Bill No. 1978

Assembly Bill No. 603

Assembly Bill No. 1979

Assembly Bill No. 604

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported resolution re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported resolution ordered to third reading.

## ADJOURNMENT

At 11.48 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 1 p.m., Monday, March 30, 1953.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

FORTY-EIGHTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Monday, March 30, 1953

The Senate met at 1 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day: Senator Collier, on motion of Senators Powers, due to legislative business.

Senator Harold T. Johnson, on motion of Senator Powers, due to legislative business.

Senator McCarthy, on motion of Senator Powers, due to legislative business.

### PLEDGE OF ALLEGIANCE

Senator Cunningham led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. George

R. B. Ford and son Richard, Los Angeles; Malvin Lifton, Redondo Beach; Joseph Pipin, Culver City, Mayor Robert T. Radford, Monrovia; Jack B. Gilbert, principal, Alice M. Birney School, Rivera; Mr. and Mrs. John Canaday and daughter, Joyce, Burbank; Douglas Rosenow, Rivera; Glenn A. Palmer, Rivera; Cyrus Morris, Walnut; Elinor Richardson, Principal, Lakeland School, Norwalk; Dorothy Soeborg, Director of Education and Special Services, Norwalk.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day unanimously extended to Manville W. Saxton, Mildred E. Saxton and children Robert and Susan of Whittier; Mr. and Mrs. James E. Brock, El Centro; Mr. and Mrs. Howard E. Croke, Placencia; Miss Sharon Croke, Placencia.

On request of Senator Erhart, the privilege of the floor of the Senate for this day was unanimously extended to Mr. and Mrs. Ronald G. Paris of San Luis Obispo.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Raymond James Lippincott, teacher, Mrs. John W. Gentry and Mr. Peter A. Rempelmann, parents, Miss Francine MacFarland, school secretary, and the following students from the Wright Elementary School at Santa Rosa: Sue Waters, Belva Jean Bandy, Wanda Webb, Donald Beechetti, John Carlson, James Herron, Patricia Cameron, Beverly Curtis, Joan Robison, Rosita Unciano, Minnie Smith, Patricia Zapida, Ronald Springett, Rita Gentry, Darla Mosier, Lois Roberts, Doris Reynolds, Wanda Hallman, Keith Smith, James Resser, Frank Prath, Robert Stout, Daniel Sedgwick, James Simila, Glen Witham, Charles Gentry.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Swift Berry, Mrs. William B. Berry, Phil Berry, Billie Swift Berry, John R. Berry, and Joe K. Berry, all of Placerville.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. E. Combs of Visalia.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Dorothy Dessee and Miss Frances Klune of Santa Clara.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Instructor Robert J. Bernard and the following evening History Class students at Napa College: Mrs. R. C. Burkett, Sally Ruth Van Winkle, Ruth F. Warren, Ruth M. Adams, Audrey T. Samner, Mrs. George Clarke, Viola Heller, Norma Argo, Bertha B. Brooke, Edna E. Herriek, Harriet E. Whitney, R. Howell, LeRoy L. Thiede, F. Kurt Eid, Dean C. Walker, Allen D. Oweo, Al E. Desrosiers, Frank Souza, Mike Webb, Howard Momen, Ernestine Abbott, James E. Lawson, Robert L. Akers, Russell V. Forrand, Bruno H. Granzella, Clarence J. Kirk, Wilma Jayne Kirk, Arthur R. Lampe, Keith Maxwell, Isabel Maxwell, Catherine V. Allen, Martha Combs, Auline Tufts, Orpha Simpson, Edna R. Sabin, Ruth J. Morris, Crystal M. Eggleston, Lucy McLean, Helen Eggers, Carl C. Eggers, Dorothy Bernard, Mary Oriard, and Shirley Oriard.

On request of Senators Hulse and Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bob



Flower and Bill Flower of Westmorland and Mrs. A. W. Way of Fortuna.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert P. Ulrich, District Superintendent Mojave Unified School District, Mojave.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Kelly of Culver City.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Advisors Harry Perry, Jr., Clyde Cantwell, George Levin and the following Explorer Scouts from Tulare: Jimmy Barnes, Desmond Coffee, John Brewer, Tommy Scheidt, Gregory Brott, Clayton Cantwell, Tommy Ratcliff, Harry Perry III, Robert Lopez, Leroy Wolman, and Sidney Levin.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Barbara Allen of Temple City.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Directors Dr. Donald Muchmore and Dr. Leroy Clyde Hardy and 100 students from Long Beach State College.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Stewart Trumbull, Miss Susan Trumbull, Mr. Tom Trumbull, all of Glendale; Mr. Ronald Parks of Santa Margarita.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Milton Baty, principal, Miss Valeta B. Stout, teacher, Miss Eleanor Santos, driver, Mrs. Teixeira, Mrs. Hendricks, Mrs. Denno, Mrs. Fanconi, Mrs. Lee, Mrs. Shackelford, Mrs. Proctor, parents, and the following Eighth Grade class members of the McSwain Union Elementary School: Judy Blodgett, Lois Choate, Judith Denno, Bruno Fanconi, Helen Gaines, Marvin Hendricks, Baxter Johnston, Marvin Lee, Melvin Lee, Margaret Oliveira, Vivian Ortega, Tommy Proctor, Wayne Reavis, Arlene Teixeira, Maurice Trejo, Frank Vergara, Myrna Volbrecht, Billy Williams, Jimmy Proctor, and Anita Morehead.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Max Vineys, Raymond M. Peterson, James E. Jensen, Gerald I. Clark, all of Merced.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert W. Gartin, principal, Ocean View School, East Whittier.

On request of Senators Dilworth and Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Loren Blakeley, Mrs. Leland Bear, Mr. Robert Blakely of Santa Ana; and Mr. and Mrs. John B. Pace of Romoland.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following leaders and members of Girls Scout Troop 239, Whittier School, Oakland; Troop 283, Lockwood School, Oakland; Troop 71, Havenscourt Jr. High, Oakland; Troop 252, St. Bernard School, Oakland; Troop 156, Marin

School, Albany: *Troop No. 71*—Judy Griffiths, Nancy Ronnaw, Roberta Brain, Beverly Birkholm, Peggy Robertson, Judy Hartman, Lynne Kilgore, Barbara Padgett, Elaine Bagakis; *Troop 252*—Annette Chavez, Gail Davis, Rose Mary Hogya, Sylvia Johnson, Karen Jones, Patricia Kasovia, Judy Kollmeyer, Maryann McCusker, Maureen McGee, Valerie Marshall, Louise Nobriga, and Bonnie Robinson; Adults—Marie Johnson, Berneice Hogya, Judy Hagan, and Catherine Jones; *Troop No. 283*—Marth Swisher, Grace Nakano, Jimmie Morgan, Sally Squires, Sandra Mazar, Anna G. Speck, Verda Gullatt, Judith Tagge, Mary Ann Dennis, Marath Hostetter, Trudy Rhone, and Sylvia Stovall; Adults—Mrs. Tagge and Mrs. Mazar; *Troop No. 239*—Susan Bristau, Sandra Campanella, Carolyn Foss, Jacqueline Homeier, Barbara Fune, La Ree Jensen, Lorna Gillia, Lulu Lamberg, Carol Martinovich, Tess Pember, Judy Rand, Sueann Rinca, Nathile Romero, Diane Santos, and Penny Silva; Leaders—Mrs. J. Rand, Mrs. J. Campanella, Mrs. R. Homeier, and Mrs. B. Silva; *Troop No. 156*—Pamela Beck, Karen Blank, Lana Butt, Carol Carden, Charlotte Caskey, Carolyn Chase, Lynne Cruclion, Carol Flynn, Ronnie Kleinhammer, Anita Lentz, Jo Ann Maxwell, Colleen Morris, Diane Pavoni, Grace Pruden, and Penny Wells; Mrs. William B. Beck, Brayden Beck, Mrs. Eugene M. Blank, Bobby Blank, Mrs. John K. Butt, Mrs. Eugene R. Carden, Jerry Carden, Mrs. Elwood I. Lentz, Mrs. J. E. Maxwell, Mrs. A. L. Pavoni, Mrs. Robert R. Pruden, Doris Pruden, and June Farley.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Byron Burgess, Mary Lewis School principal and Bud Nevin, Alpha Lyman School principal, both of Bloomington; Mr. and Mrs. Wilsen A. Grace, Elementary School principal at San Bruno.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jesse D. Stockton, County Superintendent of Schools of Kern County.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Gerald J. O'Gara of San Francisco.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following teacher, students, and parents of the Los Banos Elementary School, Los Banos: Mrs. M. Grace Branley, teacher; Margaret Ann Deniz, Bernice Deniz, Jackie Vierra, Edith Azevedo, Millie Giannone, Mr. and Mrs. Louie Azevedo, Mr. and Mrs. Pinheiro, Mrs. Bettencourt, William Bettencourt, Mrs. Bisignani, Mary Bisignani, Virginia Bisignani, Mr. and Mrs. A. Azevedo, Mrs. A. Cardoza, Mr. and Mrs. Parreira, Mrs. F. Undro, Mrs. Anita Giannone, Tony Greco, Manuel Manzenedo, J. Rea, Mrs. Yriart, Mr. and Mrs. Barcellos, Mrs. Delgado, Mrs. Cozzitorti.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lee M. Roberts of Yuba City.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David Gray, principal, Fremont School, Kings County; and Mr. Harold Gibson, principal, Kings River School, Kings County.

On request of Senators Sutton and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hugh Herd of Reno.

On request of Senators Desmond and Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Willanna, Sister Corirta and the following 103 students of Immaculate Conception School: Sister Mary Corita and Sister Mary Willanna, teachers, and the following Seventh and Eighth Grade students: Rosemary Aiello, Marion Azevedo, Robert Barroso, Joanne Ballew, Catherine Bennett, Joan Blanc, Francis Biffin, Micheal Bowman, Dennis Butler, Robert Cacic, Fred Caldeira, Jack Church, Patricia Coffey, David Cozart, Nancy Daniels, Ellen DeVore, William Diewert, Jane Dittus, Francis Dullanty, Richard Derheim, Peter Gallagher, Janet Gemales, Robert Groza, Cecelia Mobley, Shirley Morgan, Thomas Murphy, Judy Mulligan, Grace O'Donnell, Edward Pacheco, Carol Pedone, Roger Rose, Annette Schiele, Patricia Ann Sadlier, Ben Schiro, Lorena Thompson, Norberta Walery, James Whalen, Dal Williams, John Williamson, William Young, Irene Kulaev, Thomas Hefferman, Machaelynne Hunter, Tricia Kampouris, Charles Kirchner, William Lenarz, Gary Loesch, Rachel Nieto, Patricia Porter, Gerald Prosser, Anne Roche, Jerilee Ronald, Donna Rose, Donald Sherlock, Thomas Sherlock, Charlene Smith, Margaret Sullivan, Jack Searinger, Deanna Sweet, Lorraine Ward, Bonnie Weshneske, Daniel Willoughby, Patricia Woolmering, Carlton Yuke, Lola Adorni, John Akerly, Mary Barry, Marlene Barton, George Bleth, Deanna Braun, Michael Brewer, Kathleen Brooks, Darrell Brunell, Michael Butler, Larry Christensen, Dorothy Cioli, Rosalie Clements, Robert Coon, Rita Cordova, Michael Dadigan, Sandra Dewsnap, Sharon Dewsnap, Caroline Enos, Richard Ferrola, Marylin Foster, Barbara Galindo, Sandra Gonzales, Mary Hamilton, Robert Hardmeyer, Thomas Higgins, Judith House, Michael Morais, and Katherine Muheim.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James Derrick of San Diego; E. Leo Waian and Bert Hagg of Burbank.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Ruth Quinn, principal Rosewood School, Los Angeles; Kenneth Wall, sponsor, and the following Honor Troop Boy Scouts of Troop 47, Los Angeles: Eugene Fritsche, Eagle; Don Wall, Life; David Carlson, Life; Steve Bracht, Life; Jack Faulkner, Star, and Kent Little, Star.

On request of Senators Murdy and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alice H. Andersson of Burbank.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Marjorie E. Dudley, elementary principal of Santa Ana, and Mrs. W. A. Cray of Santa Ana.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Louise Parkin, Margaret Mathews, Doras Lawrence, all of Inglewood.



On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marilyn Geist of Mendota.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jane Lunt of Riverside.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roscoe E. McCabe of Santa Maria.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph S. Cutler of Tulare.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. F. Gail Squires and Talmage M. Herbert, elementary school principals from Fontana.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. B. Lucas, S. R. Armon, Arlington Goar, Mr. VanBusker, all of Baldwin Park; Mr. and Mrs. Kenneth Smith of Los Angeles; Arthur L. Tucker of Arcadia; Robert F. Genter of Los Angeles; Robert D. Crossan of Long Beach; Donald I. Miller of Arcadia; Dr. Elizabeth Cooper, Mr. Stewart Ferguson, Mr. Paul Van Alstine, Miss Marguerette MacMillan, Miss Katherine Hawkins, Mrs. Victor King, E. E. Schwartz, all of Santa Monica; and Dr. Morris Winward of San Diego.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. W. Sass and Mrs. B. Van Roper, scout leaders; Mrs. G. Kiser and Mrs. Sam March, mothers, and the following members of the San Leandro Scout Troop No. 238: Beverly Bueno, Sharon Buzard, Sandra Downer, Sheila Eadie, Betsy Hickerson, Anadine Kiser, Lorraine Cooper, Ann Van Riper, Carolyn McLaughlin, Jean Porter, Sandra Marchi, Penny Larson, Jeanette Fain, Jackie Maltester, Diana Sass, and Jo Ann Mello.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. K. Thrasher and wife of Arroyo Grande.

On request of Senators Parkman and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. David Oliver of San Francisco.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Henry Fullenwider of Atherton.

On request of Senators Tenney and Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don F. Ralston of Buena Park, Earl Edmondson of Norwalk, and Robert V. Chase of Rivera.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Nestler of El Centro.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to P. M. Berry, Principal, Coronado Elementary and Junior High, Coronado.



On request of Senators Hulse and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Deward Millsap of Bard, and Charles Hicks of Niland.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Frank Blowers and son Frank, Hardwick School, principal, Kings County; and Mr. Holger Bjornsen, principal, Lincoln School, Hanford.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leonard Swenson of Manhattan Beach.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Allene Hammond and Barbara Dunton.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Weir Smith, principal, Stratford Elementary School, Kings County.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dayton Dickey, Joseph Dennehy, Arnold Erickson, Albert Herman, all of Ojai, and Lyle Wells of Ventura.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. C. Black of Santa Ana, Mrs. Edward Crain of Paramount, Sharon Black of Santa Ana, and Wayne L. Butterbaugh of Anaheim.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 92	Assembly Bill No. 1214
Assembly Bill No. 94	Assembly Bill No. 1218
Assembly Bill No. 102	Assembly Bill No. 1220
Assembly Bill No. 103	Assembly Bill No. 1372
Assembly Bill No. 154	Assembly Bill No. 1519
Assembly Bill No. 156	Assembly Bill No. 1669
Assembly Bill No. 385	Assembly Bill No. 1771
Assembly Bill No. 400	Assembly Bill No. 1786
Assembly Bill No. 455	Assembly Bill No. 2073
Assembly Bill No. 456	Assembly Bill No. 2129
Assembly Bill No. 457	Assembly Bill No. 2314
Assembly Bill No. 627	Assembly Bill No. 2739
Assembly Bill No. 1014	Assembly Bill No. 3048
Assembly Bill No. 1184	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 92**—An act to amend Section 13675 of the Education Code, relating to the compensation of school employees on sabbatical leaves of absence.

Referred to Committee on Education.

**Assembly Bill No. 94**—An act to add Article 4.5, consisting of Sections 7357-7359, to Chapter 10 of Division 3 of, to add Section 7374.5 to, and to amend Sections 7383, 7412, 7436, 7437, and 7442 of, the Business and Professions Code, relating to the practice of scalp massaging.

Referred to Committee on Business and Professions.

**Assembly Bill No. 102**—An act to amend Section 7400 of the Business and Professions Code, relating to cosmetology students.

Referred to Committee on Business and Professions.

**Assembly Bill No. 103**—An act to amend Section 7342 of the Business and Professions Code, relating to the qualifications of electrologists.

Referred to Committee on Business and Professions.

**Assembly Bill No. 154**—An act to amend Section 702 of the Welfare and Institutions Code, relating to contributing to the delinquency of a minor.

Referred to Committee on Judiciary.

**Assembly Bill No. 156**—An act to amend Section 3345 of the Civil Code, relating to the holding over of tenants after the expiration of their term.

Referred to Committee on Judiciary.

**Assembly Bill No. 385**—An act to amend Section 204a of the Code of Civil Procedure, relating to deputy jury commissioners.

Referred to Committee on Judiciary.

**Assembly Bill No. 400**—An act to amend Sections 816, 818, 819, 820, and 821 of, and to repeal Section 817 of, the Fish and Game Code, relating to shellfish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 455**—An act to amend Section 1590 of the Financial Code, relating to the business of receiving and holding money in escrow and of acting as trustee under deeds of trust.

Referred to Committee on Judiciary.

**Assembly Bill No. 456**—An act to amend Section 15681 of the Revenue and Taxation Code, relating to penalties for failure to file gift tax returns.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 457**—An act to amend Section 356 of the Education Code, relating to duties of the county superintendent of schools.

Referred to Committee on Education.

**Assembly Bill No. 627**—An act to amend Section 13 of the Municipal and Justice Court Act of 1949 Chapter 1510 of the Statutes of 1949 and Section 71140 of the Government Code, relating to constables in justice courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1014**—An act to amend Section 1295 of the Penal Code, relating to the receiving of cash in lieu of bail by an officer in charge of a jail.

Referred to Committee on Judiciary.

**Assembly Bill No. 1184**—An act to amend Section 160.1 of the Agricultural Code, relating to agricultural pest control operators.

Referred to Committee on Agriculture.

**Assembly Bill No. 1214**—An act to amend Section 5801 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 1218**—An act to amend Section 5305 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

**Assembly Bill No. 1220**—An act to amend Sections 553.3 and 1483.1 of the Probate Code, relating to the reduction of bonds.

Referred to Committee on Judiciary.

**Assembly Bill No. 1372**—An act to add Section 2327 to the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1519**—An act to amend Section 1032 of the Code of Civil Procedure, relating to court costs in superior courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1669**—An act to add Section 375 to the Education Code, relating to contracts between school districts and county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 1771**—An act to amend Section 1550 of the Welfare and Institutions Code, relating to the eligibility procedure for needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1786**—An act to amend Sections 154, 6556, 6558, 7000 and 7000.5 of the Welfare and Institutions Code and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2073**—An act to add Section 20493 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2129**—An act to amend Sections 8506, 8507, 8516, and 8556 of, and to add Sections 8505.1 and 8516.2 to, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2314**—An act to amend Section 14 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to the appointment of election board, notice of election, appointment of sole

nominees without election, petitions for election, notice of abandonment of election, furnishing of ballots, conduct of election.

Referred to Committee on Elections.

**Assembly Bill No. 2739**—An act to add Section 2.5 to the Judges' Retirement Fund Act (Chapter 771 of the Statutes of 1937), and to add Section 75107.5 to the Government Code, relating to the state contributions to the Judges' Retirement Fund.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3048**—An act to amend Section 2980 of the Civil Code, relating to the recordation of conditional sales contracts.

Referred to Committee on Judiciary.

**Senator Cunningham Presiding**

At 1.10 p.m., Senator James E. Cunningham, of the Thirty-sixth District, presiding.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 50

Assembly Concurrent Resolution No. 51

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following resolution was read:

**Assembly Concurrent Resolution No. 50**—Relative to commending Jerry Olrich, State Gardener.

**Request for Unanimous Consent**

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, for consideration.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 50**

**Assembly Concurrent Resolution No. 50**—Relative to commending Jerry Olrich, State Gardener.

Resolution read.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 1.15 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 1.18 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.



The names of the absentees were called, and Assembly Concurrent Resolution No. 50 adopted by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Murdy, Parkman, Powers, Tenney, Thompson, Way, and Weybret—22.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Concurrent Resolution No. 51**—Relative to congratulating James Welsh on his appointment to the Industrial Accident Commission.

##### Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 51

**Assembly Concurrent Resolution No. 51**—Relative to congratulating James Welsh on his appointment to the Industrial Accident Commission.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, and Weybret—24.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 668

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 668**—An act to amend Sections 563 and 564 of the Fish and Game Code, relating to the importation and inspection of fish, aquatic plants, mollusks and crustaceans.

Referred to Committee on Fish and Game.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 136

Senate Bill No. 225

Senate Bill No. 226

Senate Bill No. 266

Senate Bill No. 500

Senate Bill No. 542

Senate Bill No. 681

Senate Bill No. 799

Senate Bill No. 920

Senate Bill No. 1221

Senate Bill No. 1222

Senate Bill No. 1619

Senate Joint Resolution No. 5

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 316

Senate Bill No. 588

Senate Bill No. 720

Senate Bill No. 800

Senate Bill No. 1116

Senate Bill No. 1194

Senate Bill No. 1225

Senate Bill No. 1850

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1507

Senate Bill No. 1662

And reports the same correctly re-engrossed.

POWERS, Chairman

**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 784

Has had the same under consideration, and reports the same back with the recommendation of the

Committee membership 11; committee vote: Ayes 6; absent 5.

SUTTON, Chairman

Above reported bill ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator McBride moved that the Senate Journals for Monday, March 23, 1953; Tuesday, March 24, 1953; Wednesday, March 25, 1953; Thursday, March 25, 1953; and Friday, March 26, 1953, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Council that Senate Bill No. 799, Assembly Bills Nos. 603, 1129, 1784, carry an appropriation.

The President ordered Senate Bill No. 799, Assembly Bills Nos. 603, 1129, 1784 re-referred to the Committee on Finance, in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 276**—An act to add Section 11007.7 to the Government Code, relating to the powers of the Department of Finance with respect to insurance.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 276?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 3, 1953, strike out "11007.6", and insert "11007.7".

**Amendment No. 2**

On page 1, line 1, of said bill, as amended, strike out "11007.6", and insert "11007.7".

**Amendment No. 3**

On page 1, line 3, of said bill, as amended, strike out "11007.6", and insert "11007.7".

**Amendment No. 4**

On page 1, line 18, of said bill, as amended, strike out "or"; and on line 20, insert "(e) insurance procured by the Department of Veterans Affairs under Division 4 of the Military and Veterans Code."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 276 by the following vote:

AYES—Senators Abshire, Berry, Burns, Busch, Byrne, Coombs, Cunningham, Dillworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Tenney, Way, and Weybret—25.

NOES—None.

Above bill ordered enrolled.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 1946**—An act to amend Section 13196 of the Government Code, relating to the use of water of the Napa State Farm.  
Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Institutions:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "its", and insert "irrigation and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 481**—An act to amend Section 810.5 of, and to add Sections 810.51, 810.52, 810.53, and 810.54 to, the Agricultural Code, relating to asparagus standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 4 of the printed bill, strike out all of lines 50 and 51; and on page 5 strike out all of lines 1 to 13, inclusive, and insert

"Jumbo, stalks which are not less than thirteen-sixteenths inch in diameter.

Large, stalks which are not less than seven-sixteenths inch in diameter.

Standard stalks which are not less than six sixteenths inch in diameter. Small, shall consist of asparagus in which more than 10 percent of the stalks are less than six sixteenths inch in diameter.

"Diameter" measurement shall mean the widest portion of the cross section measured at the largest point on the stalk.

The size designation requirements as herein established shall apply to all stalks of asparagus in each container, except that in the case of the Jumbo, Large and Standard sizes 10 percent, by count, of the stalks in any container may be smaller than the size designation specified."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 483**—An act to amend Section 785 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 785", and insert "Sections 785 and 830.3".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 2

On page 3 of said bill, after line 38, add

"Section 830.3 of the Agricultural Code is amended to read:

830.3. Any commissioner may issue to any person residing in his county or maintaining a principal place of business therein a permit to transport or deliver fruits, nuts, or vegetables exempt from the standards established in this chapter, for any one or more of the purposes set forth in Section 830; but no permit shall be issued for the purpose set forth in subparagraph (a) of Section 830 unless and until the commissioner has found and determined that the packing plant from which the fruits, nuts, or vegetables are to be transported or delivered has not proper and adequate facilities for processing, grading, packing, or reconditioning the particular lot of fruits, nuts, or vegetables, and that the packing plant to which the fruits, nuts, or vegetables are to be transported has such facilities. Such permits may be issued for a period not exceeding 12 months.

No permit issued hereunder shall be valid except in the county where issued unless the permit, or a rider securely attached thereto, carries the indorsement of the commissioner [of the county to which the fruits, nuts, or vegetables are to be transported or delivered.] *of the county (1) to which the fruits, nuts, or vegetables are to be transported or delivered and (2) from which such products are to be transported or delivered.*

Any commissioner may refuse to issue or to indorse a permit if in his judgment the permittee does not have available proper and adequate facilities with which to pack, process or otherwise dispose of such commodities in accordance with the provisions of this chapter and the terms of the permit. A permittee shall, upon request of any commissioner, furnish such affidavits, receipts and other evidence as such commissioner reasonably may require as proof that the commodities have been disposed of in accordance with the provisions of this chapter and the terms of the permit.

Any commissioner, after notice and hearing, may revoke or suspend any permit or indorsement issued by him, and shall refuse to issue or to indorse any permit, if the facts established at such hearing reveal that the permittee or applicant has violated any of the provisions of this chapter or the terms of any permit issued hereunder, or has failed or refused to furnish the evidence required by the commissioner as hereinabove provided.

Notice of hearing when mailed to the permittee or applicant at the address given in his application shall give the commissioner jurisdiction to act in the matter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.



**Senate Bill No. 719**—An act to amend Section 821.15 of, and to add Section 823.5 to, the Agricultural Code, relating to fruit and vegetable standardization.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in Senate March 16, 1953, strike out "fibreboard".

**Amendment No. 2**

On page 1, lines 21 and 22, of said bill, strike out "fibreboard".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1067**—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 599**—An act to amend Section 678 of the Agricultural Code, relating to butter.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 600**—An act to amend Section 661 of the Agricultural Code, relating to license fees for frozen dairy products and imitations thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 604**—An act to amend Section 260.2 of the Agricultural Code, relating to bovine brucellosis.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1046**—An act to amend Sections 137 and 146 of the Agricultural Code, relating to the expense of abatement work in plant quarantine and pest control.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1127**—An act to amend Sections 911.23, 912, and 914 of, and to repeal Section 911.25 of, the Agricultural Code, relating to agricultural seeds and seed inspection.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1978**—An act to amend Sections 400 and 415 of the Agricultural Code, relating to estrays or unclaimed animals or hides.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1979**—An act to amend Sections 380.64, 512, 661(d), 679, 737.10, 1092, and 1300.2 of the Agricultural Code, relating to the reports of the Director of Agriculture.

Bill read second time, and ordered to third reading.

**President pro Tempore of the Senate Presiding**

At 1.25 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System.

Bill read third time.

## Motion to Amend

Senator Regan moved the adoption of the following amendments:

## Amendment No. 1

On page 1, lines 7 and 8 of the printed bill, as amended in Senate March 23, 1953, strike out "state highway routes", and insert "highways".

## Amendment No. 2

On page 1, line 11, of said bill, as amended, strike out "and", and insert "and as more fully identified in Section 251 of this code".

## Amendment No. 3

On page 4 of said bill, as amended, strike out line 1, and insert

"251. The highways, as portions thereof included in the Mainline Highway System and shown on the map contained in Section 250 of this code, are STATE highway systems more fully described as follows: The state route numbers listed herein being the state highway route numbers designated by the Legislature:

1. U. S. 101. From the Mexican boundary near Tin Juana to the Oregon State boundary north of Petrolia Creek, including portions of State Highway Route 2, Santa Ana Freeway, Highland Freeway, Ventura Freeway, Palmdale Freeway, and of State Highway Route 1, excluding the Golden Gate Bridge.

2. U. S. 99. From the Mexican boundary near Calexico to the Oregon boundary near Hornbrook, including portions of State Routes 26, Riverside Freeway, Riverside Freeway, San Fernando Freeway, and of State Routes 4, 11, 50, 6, 7, and 5.

3. West State Highway. From U. S. 99 near Wheeler Ridge to U. S. 40 in Sacramento, generally along the west side of the Sacramento Valley, including portions of State Highway Routes 138, 41, and 5.

4. U. S. 97. From U. S. 99 near Weed to the Oregon boundary near Dorris, State Route 72.

5. U. S. 395. From U. S. 101 in San Diego to the Nevada boundary near Calexico, and from the Nevada boundary near Paria to the Oregon boundary near New Pine Creek, including portions of the Cabrillo Freeway and of State Routes 77, 78, 10, 43, 31, 145, 23, 95, 20, 28, and 73.

6. U. S. 80. From U. S. 101 in San Diego to the Arizona boundary near Yuma, including portions of Mission Valley Freeway and of State Routes 12 and 27.

7. Connecting Freeway. From U. S. 101 in San Diego to U. S. 80 near El Centro, including portions of State Highway Routes 200 and 198.

8. U. S. 60 (easterly portion). From U. S. 99 near Indio to Arizona boundary near Blythe, including portions of State Route 64.

9. U. S. 91 (easterly portion). From U. S. 395 near Cajon to the Nevada boundary near Calada, including portions of State Routes 31 and 58.

10. U. S. 6 (portions). From U. S. 99 near north city limits of Los Angeles to U. S. 395 north of Freeman, including portions of State Route 23.

11. Connecting Highway. From U. S. 395 near Cajon to U. S. 6 near Palmdale, including portions of State Route 59.

12. U. S. 103 (northern). From U. S. 99 near Eakersfield to U. S. 6 near Mojave, including portions of State Route 58.

13. Pacheco Pass Highway. From U. S. 101 near Gilroy to U. S. 99 near Calistoga, including portions of State Route 32.

14. El Camino Freeway. From U. S. 101 near San Jose to the Golden Gate Bridge, including portions of State Highway Routes 118, 50, and 5.

15. East State Freeway. From Bayshore Freeway near San Jose to U. S. 40 near San Francisco-Oakland Bay Bridge, including portions of State Highway Route 60.

16. Connecting Freeway. From El Camino Freeway near Los Gatos to Bayshore Freeway near San Jose, including portions of State Route 5.

17. U. S. 40. From Bayshore Freeway in San Francisco to the Nevada boundary in the Truckee River Gorge, including portions of East State Freeway, and of State Routes 68, 5, 14, 7, 6, 50, 11, 93, 3, 17, 37, and 38.

18. U. S. 50 (westerly portion). From U. S. 40 near San Francisco-Oakland Bay Bridge to U. S. 99 near Manteca, including portions of State Routes 5 and 66; and from U. S. 99 in Sacramento to Petrolia, including portions of State Route 13.

19. Feather River Cut-off. From U. S. 40 near Yuba City to U. S. 99W near Diamond Springs, State Route 90.

20. Feather River Highway. From U. S. 40 near Davis to U. S. 395 near the Feather River, including portions of State Routes 7, 87, 3, 15, and 21.

21. U. S. 299. From U. S. 101 near Arcata to U. S. 395 near Alturas, including portions of State Routes 20 and 28.

22. Sears Point Highway. From U. S. 101 to U. S. 40, including portions of State Routes 8 and 208.

23. Walnut Creek Freeway. From Alameda to U. S. 40 near Vallejo, including portions of State Routes 226, 75, and 74.

24. Connecting Freeway. From U. S. 50 near Dublin to Walnut Creek Freeway, including portions of State Route 107.

25. Connecting Freeway. From East Shore Freeway to Walnut Creek Freeway, State Route 206.

26. Connecting Freeway. From East Shore Freeway to U.S. 50, State Route 228.

27. Panhandle Freeway. From El Camino Freeway to Bayshore Freeway in San Francisco, State Route 223.

28. Mission Freeway. From El Camino Freeway to Panhandle Freeway in San Francisco, including portions of State Route 2.

29. Embarcadero Freeway. From San Francisco-Oakland Bay Bridge to U.S. 101 in San Francisco, State Route 224.

30. Sepulveda Freeway. From Santa Ana Freeway to San Fernando Freeway, including portions of State Route 158.

31. San Gabriel Freeway. From Sepulveda Freeway to Ramona Freeway, including portions of State Route 170.

32. Los Angeles River Freeway. From State Highway Route 60 near Long Beach to Colorado Freeway, including portions of State Route 167.

33. Harbor Freeway. From near San Pedro to Hollywood Freeway, including portions of State Route 165.

34. Arroyo Seco Freeway. From Hollywood Freeway to Colorado Freeway in Pasadena, State Route 205.

35. Santa Monica-Olympic Freeway. From State Route 60 near Santa Monica to Ramona Freeway, including portions of State Routes 162 and 173.

36. Riverside Freeway. From Hollywood Freeway to San Fernando Freeway, including portions of State Route 161.

37. Colorado Freeway. From Riverside Freeway to near Glendora, including portions of State Routes 161 and 9.

252. The commission shall by route adoptions from time to time as construction progresses designate the location of the Mainline Highway System in such manner as to include all portions of existing state highway routes along or approximately along said system. The total mileage of the State Highway System shall not be increased by the creation of the Mainline Highway System except where additions are required to make the Mainline Highway System continuous. Pending the completion of any portion of the Mainline Highway System and the inclusion therein of existing state highways, the existing state highways shall be maintained and improved as required in the judgment of the department and the commission.

253. The Department of Public Works and the California Highway Commission shall possess and exercise like powers, duties, and jurisdiction, not in conflict with this article, in respect to the alignment, realignment, location, relocation, acquisition, use, relinquishment, abandonment, disposition and control of rights of way for, and the construction and reconstruction of existing public ways as a part of, the system of mainline highways as is now or hereafter may be vested by law in the department and commission in respect to other state highways and freeways and the routes thereof; provided, however, that every mainline highway or part thereof within the system shall follow generally and substantially, as nearly as may appear feasible and practical in the judgment of the department and commission, the route thereof as depicted on the map set forth in Section 250 and the description contained in Section 251.

254. Nothing in this article shall limit or affect the power of the commission and department to realign, relocate, and acquire new rights of way for, and construct and reconstruct along such new alignment, relocation and new right of way, any mainline highway or part thereof within the system, as public needs may appear in the judgment of the department and commission, notwithstanding any prior alignment, location, right of way, and construction along the same, of any such highway or part thereof within the system formerly open to use or in use by public traffic.

Sec. 2. This act shall not become effective unless otherwise.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senator Burns Presiding

At 1:30 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Senate Bill No. 1507**—An act to amend Section 18412 of the Health and Safety Code, relating to auto courts and resorts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Burns, Byrne, Coombs, Cunningham, Dilworth, Dorsey, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Tenney, Thompson, and Weybret—21.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time 1.34 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1931**—An act to amend Section 12351.5 of the Health and Safety Code, relating to purchase and possession of explosives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 75**—An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay, San Pablo Bay, Suisun Bay, and the Sacramento-San Joaquin Delta, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 75:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 23, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 75**, "An act making an appropriation for investigation and study of salinity control barriers in San Francisco Bay."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

It is important that if such studies are to be made, plans preparatory thereto should be begun at the earliest possible date.

I therefore recommend consideration of Senate Bill No. 75 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor



**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, and Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Sutton, Tenney, Thompson, Ward, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 278**—An act to amend Section 4 of Chapter 7 of the Statutes of 1951, relating to revenues of tide and submerged lands, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 278 :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 10, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN :

**Senate Bill No. 278**, "An act to amend Section 4 of Chapter 7 of the Statutes of 1951, relating to revenues of tide and submerged lands, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill would amend the 1951 statute relative to the use of impounded oil revenues from the tide and submerged lands. The present allowance of \$12,000 per month available to defray the expenses of the State Lands Commission in administering these lands has proven insufficient. To make available sufficient funds to defray the expenses of the State Lands Commission enactment of this measure is necessary.

I therefore recommend consideration of Senate Bill No. 278 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1662**—An act to amend Sections 58853, 58854, 58855, 58857 and 58859 of, and to add Sections 58850.1, 58855.1 and 58855.2 to, the Government Code, relating to change of district boundaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1434**—An act to amend Section 45053 of the Government Code, relating to employment of retired persons by cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Parkman, Regan, Sutton, Tenney, Thompson, Ward, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assistant Secretary Lachlan Richards at the Desk**

**Senate Bill No. 1619**—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read third time.

#### **MOTION TO RE-REFER SENATE BILL NO. 1619**

Senator Miller moved that Senate Bill No. 1619 be re-referred to Committee on Labor.

Motion carried.

#### **Motion to Reconsider**

Senator Abshire moved to reconsider the vote whereby Senate Bill No. 1619 was re-referred to Committee on Labor.

#### **Roll Call Demanded**

Senators Hatfield, Hulse, and Abshire demanded a roll call.

The roll was called, and Senate Bill No. 1619 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Desmond, Dilworth, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Murdy, Sutton, Tenney, Ward, Way, Weybret, and Williams—20.

**NOES**—Senators Burns, Busch, Cunningham, Dorsey, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, and Regan—12.

Senate Bill No. 1619 ordered placed on third reading file.

#### **President pro Tempore of the Senate Presiding**

At 2:50 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 316**—An act to amend Section 4714 of, and to add Section 18153 to, the Education Code, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 720**—An act to amend Sections 1, 2, 3, and 5 and repeal Section 4 of an act entitled "An act to provide for reporting and transmitting fines and forfeitures from judges and magistrates to the State Treasurer," approved May 11, 1937 (Ch. 263, Stats. 1937), and to amend Section 48 of the Fish and Game Code, Section 1734 of the Labor Code, Section 2274 of the Public Resources Code, Sections 11681, 11682, 11684, and 11686 of the Health and Safety Code, Section 2455 of the Business and Professions Code, and Sections 68101, 68102, and 68103 of the Government Code, and to repeal Section 11685 of the Health and Safety Code, relating to the time and manner of reporting and transmitting fines and forfeitures in which the State has an interest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1116**—An act to amend Section 126, and to repeal Section 120, of the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1194**—An act to repeal Section 5154 of the Public Resources Code, and Article 3 of Chapter 3 of Division 1, comprising Sections 96 and 97, of the Agricultural Code, and to add Sections 25905 to 25908, inclusive, to the Government Code, relating to county fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 136**—An act to amend Sections 11421, 11422, and 11440 of the Government Code, relating to administrative regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 681**—An act to amend Section 360.5 of the Code of Civil Procedure, relating to waivers of the statutes of limitations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 920**—An act to amend Section 1007 of the Civil Code, relating to the acquisition of title by prescription.

#### MOTION TO RE-REFER SENATE BILL NO. 920

Senator Cunningham moved that Senate Bill No. 920 be re-referred to Committee on Judiciary.

Motion carried.

**Senate Bill No. 1225**—An act to amend Section 209 of the Penal relating to the punishment for kidnapping of person or holding of state property in defiance of official orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 5**—Relative to the proposal of the Federal Communications Commission to withdraw radio-telegraph frequencies used by the California State Department of Agriculture in its Federal-State Market News Service.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—34.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Tenney moved that the quorum call of the Senate be applied to the adoption of the urgency clause to Assembly Bill No. 13.

The motion carried. Time 3.35 p.m.

#### Senator McBride Presiding

At 3.38 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**Assembly Bill No. 2712**—An act to repeal Section 6695 of the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Parkman.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

**NOES**—None.

Assembly Bill No. 2712 passed on file at the request of Senator Desmond.

**Assembly Bill No. 1863**—An act to codify the Agricultural Producers Marketing Act by adding Chapter 11 to Division 6 of the Agricultural Code and repealing Chapter 754 of the Statutes of 1933, relating to the marketing of agricultural products.

Bill read third time, and presented by Senator Hatfield.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1863:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate,  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1863.** "An act to codify the Agricultural Producers Marketing Act by adding Chapter 11 to Division 6 of the Agricultural Code and repealing Chapter 764 of the Statutes of 1933, relating to the marketing of agricultural products."

In my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted to the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Anderson, Berry, Barnes, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnell, Dorsey, Ehrhart, Gurnsey, Hatfield, Hollman, Hulse, Ed. C. Johnson, Kraft, McBrine, Montgomery, Murray, O'Gara, Parkman, Powers, Reagan, Sutton, Tenney, Thompson, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1867.** "An act to codify the California Agricultural Producers Marketing Act of 1937 by adding Chapter 12 to Division 6 of the Agricultural Code and repealing Chapter 307 of the Statutes of 1935, relating to the marketing of agricultural products."

Bill read third time, and presented by Senator Hatfield.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1867:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1867.** "An act to codify the California Agricultural Producers Marketing Act of 1937 by adding Chapter 12 to Division 6 of the Agricultural Code and repealing Chapter 307 of the Statutes of 1935, relating to the marketing of agricultural products."

In my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1868**—An act to codify the California Agricultural Products Marketing Act of 1943 by adding Chapter 13 to Division 6 of the Agricultural Code and repealing Chapter 516 of the Statutes of 1943, relating to the marketing of agricultural products.

Bill read third time, and presented by Senator Hatfield.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1868:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1868**, "An act to codify the California Agricultural Products Marketing Act of 1943 by adding Chapter 13 to Division 6 of the Agricultural Code and repealing Chapter 516 of the Statutes of 1943, relating to the marketing of agricultural products,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1870**—An act to codify Chapter 1679 of the Statutes of 1951, relating to the regulation of shorthand reporting, by adding Section 30047 and Chapter 13, Division 3, to the Business and Professions Code, and repealing Chapter 1679 of the Statutes of 1951.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1870:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

To the Honorable Members of the Senate  
Sacramento, California

GENTLEMEN:

**Assembly Bill No. 1870.** "An act to codify Chapter 1679 of the Statutes of 1951, relating to the regulation of Shortland Reporting, by adding Section 30047 and Chapter 13, Division 3, to the Business and Professions Code, and repealing Chapter 1679 of the Statutes of 1951."

In my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES:** Senators Abshire, Batty, Brown, Burns, Busby, Byrne, Canine, Canningham, Desmond, Duffield, Dwyer, Evers, Fellers, Gorman, Harold, Hoffman, Huber, El C. Jackson, Keady, McRae, Montague, Murphy, Peterson, Powers, Regan, Sutton, Way, and Weybreit—28.

**NOES:** None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1880.** An act to codify certain acts, relating to aviation and the organization, powers, and duties of agencies regulating and furnishing facilities for aviation, by adding Division 9 to the Public Utilities Code; and by repealing certain acts specified herein.

Bill read third time, and presented by Senator Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1880:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

To the Honorable Members of the Senate  
Sacramento, California

GENTLEMEN:

**Assembly Bill No. 1880.** "An act to codify certain acts, relating to aviation, and the organization, powers, and duties of agencies regulating and furnishing facilities for aviation, by adding Division 9 to the Public Utilities Code, and by repealing certain acts specified herein."

In my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1881**—An act to codify certain statutes, relating to public ways and appurtenances thereto, by adding Section 194.1 to the Streets and Highways Code, amending the heading of Division 3 of said code, adding Chapter 5 to Division 3 of said code, adding Division 12 to said code, adding Part 4 to Division 18 of said code, and to repeal certain acts specified herein.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1881:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1881**, "An act to codify certain statutes, relating to public ways and appurtenances thereto, by adding Section 194.1 to the Streets and Highways Code, amending the heading of Division 3 of said code, adding Chapter 5 to Division 3 of said code, adding Division 12 to said code, adding Part 4 to Division 18 of said code, and to repeal certain acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Way, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1885**—An act to codify Chapter 330 of the Statutes of 1933, relating to alcoholic beverages, by adding Division 9 to the Business and Professions Code, and repealing Chapter 330 of the Statutes of 1933.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1885:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1885**, "An act to codify Chapter 330 of the Statutes of 1933, relating to alcoholic beverages, by adding Division 9 to the Business and Professions Code, and repealing Chapter 330 of the Statutes of 1933."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, and Weybret—27.

**NOES**—None

#### Motion to Amend Title

Senator Cunningham moved the adoption of the following amendments to the title:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "1933", and insert "1935".

#### Amendment No. 2

In line 4 of the title of said bill, strike out "1933", and insert "1935".

Amendments read, and adopted.

Assembly Bill No. 1885 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 1889**—An act to codify Chapter 35 of the Statutes of the First Extraordinary Session of 1950, relating to research concerning sexual deviations and sex crimes, by adding Chapter 5, comprising Sections 5650 to 5653, inclusive, to Part 1, Division 6, of the Welfare and Institutions Code, and to repeal Chapter 35 of the First Extraordinary Session of 1950, except Section 6 thereof.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1889:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1889**, "An act to codify Chapter 35 of the Statutes of the First Extraordinary Session of 1950, relating to research concerning sexual deviations and sex crimes, by adding Chapter 5, comprising Sections 5650 to 5653, inclusive, to Part 1, Division 6, of the Welfare and Institutions Code, and to repeal Chapter 35 of the First Extraordinary Session of 1950, except Section 6 thereof."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Abshire, Berry, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, McBride, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.10 p.m., on motion of Senator Tenney, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and urgency clause to Assembly Bill No. 13 refused adoption by the following vote :

**AYES**—Senators Breed, Brown, Burns, Busch, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Kraft, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—23.

**NOES**—Senators Abshire, Berry, Byrne, Dilworth, Donnelly, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Murdy, and Sutton—13.

#### MOTION TO RECONSIDER

Senator Tenney moved to reconsider the vote whereby the urgency clause to Assembly Bill No. 13 was refused adoption.

The roll was called, and Assembly Bill No. 13 reconsidered by the following vote :

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—31.

**NOES**—None.

Assembly Bill No. 13 ordered passed on file at request of Senator Tenney.

#### MOTIONS TO RECONSIDER

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

#### MOTION TO RECONSIDER SENATE BILL NO. 762

Pursuant to his motion previously made, Senator Desmond moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 762 was passed.

The roll was called, and Senate Bill No. 762 refused reconsideration by the following vote :

**AYES**—Senators Brown, Burns, Busch, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Powers, Regan, and Tenney—11.

NOES—Senators Abshire, Berry, Byrne, Coombs, Cunningham, Dilworth, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Sutton, Thompson, Way, and Weybret—21.

Senate Bill No. 762 ordered transmitted to the Assembly.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Kraft:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 11382 of, and to add Sections 11385, 11386, and 11387 to, the Government Code, relating to legislative review of regulations and orders of repeal.

Respectfully submitted,

SENATOR F. H. KRAFT

#### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 30, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, and Weybret—30.

NOES—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced and read the first time:

**Senate Bill No. 1948:** This bill is being introduced by Senator Kraft at the request of Senators Burns, Desmond, Erhart, Way, O'Gara, Cunningham, Tenney, Weybret, Thompson, Sutton, Byrne, Grunsky, Berry, Gibson, Abshire, Ed. C. Johnson, Coombs, Hoffman, Parkman, Hulse, Breed, Donnelly, Brown, McBride, Williams, Montgomery, Powers, Miller, Hatfield, Dilworth, and Regan—An act to amend Section 11382 of, and to add Sections 11385, 11386, and 11387 to, the Government Code, relating to legislative review of regulations and orders of repeal.

Referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1056

Senator Parkman moved that Senate Bill No. 1056 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1056—**An act to add Section 19539.5 to the Business and Professions Code and amend Section 19534 of the Business and Professions Code, relating to horse racing.

Bill read second time.



**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "Section", and insert "Sections 19533 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

Between lines 10 and 11 of said bill, insert

"SEC. 2. Section 19533 of the Business and Professions Code is hereby amended to read:

19533. No license shall be granted to conduct a horse race meeting upon a track less than one mile in circumference or length, to any applicant except to a county fair, district agricultural association or quarter horse racing association.

The board may issue [period for which] licenses [may be issued] to county fairs, district agricultural associations and the California State Fair and Exposition [quarter horse racing associations in counties and areas of the first, second, and second and one-half classes] but each such license shall be limited to the period of the respective fair and in any event shall not [not in any such county or area] exceed 14 racing days.

Racing days allowed by the board to county fairs, district agricultural associations and the California State Fair and Exposition [licensed quarter horse racing associations] under this article shall not diminish the number of racing days per year permitted to be allowed to other racing associations under this article. [Racing days allowed by the board to licensed quarter horse racing associations under this article shall not diminish the number of racing days per year allowed to state, county, or agricultural districts fairs.]"

**Amendment No. 3**

In line 11 of said bill strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 4**

Strike out all of line 20 of said bill, and insert "39 racing days per year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1487**

Senator Parkman moved that Senate Bill No. 1487 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1487**—An act to amend Sections 2 and 4 of the Judges' Retirement Act (Chapter 770 of the Statutes of 1937), and to add Sections 1.8, 4.5, 5.1, 5.2, and 5.3 thereto, and to amend Sections 75032 and 75061 of, and to add Section 75033 to, the Government Code, and to add Article 3.5, comprising Sections 75070 to 75073, inclusive, to Chapter 11 of Title 8 thereof, relating to the retirement of judges in respect to the nature, amount, and manner of payment of benefits to and in respect to retired judges.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "judge", insert ", who has been elected as such by vote of the people,".

**Amendment No. 2**

On page 1, line 5, of said bill, after "death", insert ", resignation, recall, impeachment."

**Amendment No. 3**

On page 2, line 4, of said bill, after "judge", insert "now retired or hereafter".

**Amendment No. 4**

On page 2, line 13, of said bill, after "judge", insert "now or hereafter".

**Amendment No. 5**

On page 3, line 37, of said bill, after "judge", insert "now retired or hereafter".

**Amendment No. 6**

On page 3, line 48, of said bill, after "judge", insert ", who has been elected as such by vote of the people."

**Amendment No. 7**

On page 3, line 49, of said bill, after "death", insert ", resignation, recall, impeachment."

**Amendment No. 8**

On page 4, line 17, of said bill, after "judge", insert "now or hereafter".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1495**

Senator Parkman moved that Senate Bill No. 1495 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1495**—An act to amend Sections 2 and 4 of the Judges' Retirement Act (Chapter 770 of the Statutes of 1937), and to add Sections 1.8 and 4.1 thereto, relating to the retirement of judges in respect to the nature, amount and manner of payment of benefits to and in respect to retired judges.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out "1.8 and 4.1 thereto," and insert "1.8, 4.1, and 4.5 thereto, and to amend Sections 75032 and 75061 of, and to add Sections 75033, 75070, and 75071 to, the Government Code."

**Amendment No. 2**

On page 1, line 4, of said bill, after "judge", insert ", who has been elected as such by vote of the people."

**Amendment No. 3**

On page 1, line 5, of said bill, after "death", insert ", resignation, recall, impeachment."

**Amendment No. 4**

On page 2, line 30, of said bill, after the period, insert "'Surviving spouse," as used in this section, does not include a person who has been married to the judge for less than 10 years next preceding the death of the judge."

**Amendment No. 5**

On page 2, line 32, of said bill, strike out "throughout the remainder of the life", and insert "until the death or remarriage".

**Amendment No. 6**

On page 2, line 38, of said bill, after "death", insert "or remarriage".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 7

On page 2 of said bill, after line 38, insert

"SEC. 5. Section 4.5 is added to said act, to read :

SEC. 4.5. Every retirement allowance payable under this act for time commencing on the effective date of this section to any judge who was retired for service or for disability prior to that date is hereby increased to the amount it would be if Section 2 and Section 4 of this act, as those sections exist on the effective date of this section, had been in effect on the effective date of the retirement of the judge to whom such retirement allowance is payable.

This section does not authorize any decrease in any retirement allowance, nor does this section give any retired judge, or his successors in interest, any claim against the State for any increase in any retirement allowance paid or payable for time prior to its effective date.

SEC. 6. Section 75032 of the Government Code is amended to read :

75032. Every judge *now retired or hereafter* retiring pursuant to Section 75025, shall, during the remainder of his life, receive an allowance equal to one-half the salary payable, at the time payment of the allowance falls due, to the judge holding [which he last received as the incumbent of a] the judicial office to which he was last elected by the people. The allowance shall be paid by the State at the times and in the manner provided for the payment of salaries of justices of the Supreme Court.

SEC. 7. Section 75033 is added to the Government Code, to read :

75033. Notwithstanding any other provision of this chapter, if the service of a judge, who has been elected as such by vote of the people, is discontinued by any means other than death, resignation, recall, impeachment or retirement pursuant to this chapter, he shall have the right to elect within ninety (90) days thereafter, and without right of revocation, whether to allow his accumulated contributions to remain in the fund. Failure to make such election shall be deemed an irrevocable election to withdraw his accumulated contributions. A judge who so elects to allow his accumulated contributions to remain in the fund shall, upon his application therefor to the State Controller after attaining age 65, be retired, and receive a retirement allowance based upon the judicial service with which he is credited, in the same manner as other judges, except that his retirement allowance is an annual amount equal to 5 percent of the compensation payable, at the time payments of the allowance fall due, to the judge holding the office which the retired judge last held prior to the discontinuance of his service as judge, multiplied by the number of years of service with which the retired judge is entitled to be credited at the time of such discontinuance of his service, not to exceed eight years.

SEC. 8. Section 75061 of the Government Code is amended to read :

75061. Every judge *now or hereafter* retired for disability shall receive a retirement allowance payable at the times and in the manner provided for the payment of salaries of justices of the Supreme Court. The retirement allowance shall be computed as follows :

(a) If eligible to retire under the provisions of Section 75025, he shall receive the allowance provided in Section 75032.

(b) Except as provided in Section 75080, if he is not eligible to retire under the provisions of Section 75025, he shall receive an allowance equal to one-half of the salary [which he last received as the incumbent of a judicial office], payable, at the time payments of the allowance fall due, to the judge holding the judicial office last held by him, which allowance shall be paid to him for five years from the date of his retirement, and thereafter for a period of time equal to the period, if any, by which his aggregate service as a judge exceeds five years.

SEC. 9. Section 75070 is added to said code, to read :

75070. The surviving spouse of a judge who dies after retirement under any of the provisions of this chapter or before retirement after becoming eligible to retire under the provisions of Section 75025 or Section 75033 shall be paid from the Judges' Retirement Fund an allowance equal to one-half the amount of retirement allowance that would be payable to the judge were he living and retired under this chapter. "Surviving spouse," as used in this section, does not include a person who has been married to the judge for less than 10 years next preceding the death of the judge. The allowance is payable commencing upon the death of the judge and continuing until the death or remarriage of the surviving spouse unless the judge dies after retirement for disability upon a retirement allowance payable for a limited period of years instead of for life, in which case the allowance to the surviving spouse is payable only if that period has not expired and shall terminate upon the expiration of that period or upon the death or remarriage of the surviving spouse, whichever first occurs.

Sec. 10. Section 7507 is added to and made to read:

7507. Every appointment under the previous order this chapter for a term commencing on the effective date of this statute is null and void, and no judge who was retained for service on the temporary basis of that date is eligible for reappointment. It shall be 3. Section 7509 and Section 7510, as those sections appear on the effective date of this statute, shall have no effect on the effective date of the retirement of the judge to whom such retirement agreement is given.

This section does not constitute any discharge in any retirement agreement, nor does this section give any retired judge or his representative an interest, any claim against the State, or any increase in any retirement allowance paid or payable for time prior to the effective date.

Sec. 11. Sections 9 to 10, inclusive, of this act become operative only if Chapter 11 of Title 8 of the Government Code is amended by the Legislature on or before 1955. Repeals Sections 9 and 10 and adds to the same title on such Chapter 11 of Title 8, Section 9, in which case the contents of the Judges Retirement Act shall be amended by this act and are repealed.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1178

Senator Wayland moved that Senate Bill No. 1178 be withdrawn from Committee on Revenue and Taxation for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1178--An act to add Section 2154 to the Revenue and Taxation Code, relating to personal property held for sale.**

Bill read second time.

Motion to Amend

Senator Wayland moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the text of the printed bill, strike out "2054" and insert "2155"

**Amendment No. 2**

In line 2 of the text of said bill, strike out "personal property held for sale", and insert "the transfer of personal property."

**Amendment No. 3**

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 2155 is added to said code, to read:

2155. Any agricultural, horticultural, or agricultural product, commercial forest or agricultural commodity which has at its origin a sale for the purpose of further processing, being an improvement of growing or during the period that it remains in the possession or control of a processor, subject to taxation only on the first Monday in March if growing or such processor or dealer, protecting the processor's right of such holding. Any such processor or dealer who has not so protected the processor's right regarding the processor's ownership, sale and collection of security thereon, to the extent that such processor may be liable therefor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 205

Senator Thompson moved that Senate Bill No. 205 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 205**—An act to add Section 37 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, making an appropriation to be allocated to cities incorporated on or after September 5, 1952, and before December 2, 1952, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 37 to an act entitled 'An act making an appropriation'", and insert "Sections 43 and 44 to the Construction and Employment Act (Statutes of 1946 [First Extra] Session, Chapter 20), relating to the allocation of funds to cities, making an appropriation therefor".

**Amendment No. 2**

In the title of said bill, strike out lines 2 to 10, inclusive; and in line 11, strike out "1952, and before December 2, 1952".

**Amendment No. 3**

On page 1 of said bill, strike out line 1 and insert "SECTION 1. Section 43 is added to the Construction and Employment Act, to read:

SEC. 43. Cities incorporated on or after September 5, 1952, and before the effective date of this section may apply for an allocation from the appropriation made in Section 44 for expenditure within such cities for the purpose of defraying the State's share of the cost of the construction of projects. The amount to be allocated to each such city applying shall be apportioned to such city in the proportion that its total population bears to the total population of all cities in the State incorporated on or after September 5, 1952, and before December 2, 1952. In the case of a city incorporated subsequent to the date of official publication of the 1950 Federal Decennial Census the population shall be as ascertained and determined by the county board of supervisors in the proceedings for incorporation, or in the absence of such determination, as set forth in the petition for incorporation filed with the board of supervisors.

SEC. 2. Section 44 is added to said act, to read:

SEC. 44. The sum of one hundred sixty-two thousand dollars (\$162,000) is hereby appropriated out of any money in the Postwar Unemployment and Construction Fund not otherwise appropriated to be expended in carrying out the provisions of Section 43 of this act in making allocations to cities incorporated on or after September 5, 1952, and before December 2, 1952."

**Amendment No. 4**

On page 1 of said bill, strike out lines 2 to 18, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

**Amendment No. 5**

On page 2, line 6, of said bill, strike out "SEC. 2", and insert "SEC. 3."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 195  
 Assembly Bill No. 276  
 Assembly Bill No. 393  
 Assembly Bill No. 475  
 Assembly Bill No. 533  
 Assembly Bill No. 643  
 Assembly Bill No. 785  
 Assembly Bill No. 872  
 Assembly Bill No. 1023  
 Assembly Bill No. 1144

Assembly Bill No. 1198  
 Assembly Bill No. 1364  
 Assembly Bill No. 1660  
 Assembly Bill No. 1661  
 Assembly Bill No. 2126  
 Assembly Bill No. 2450  
 Assembly Bill No. 2488  
 Assembly Bill No. 2536  
 Assembly Bill No. 2888

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 23

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 195**—An act to create a flood control district to be called Marin County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters and from tidal action; to prevent the waste of water or the diminution of the water supply in said district, and to remove and by-pass drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Referred to Committee on Water Resources.

**Assembly Bill No. 276**—An act to amend Section 25461 of the Government Code, relating to public work.

Referred to Committee on Local Government.

**Assembly Bill No. 393**—An act to amend Section 29851 of the Government Code, relating to the issuance and payment of duplicate warrants.

Referred to Committee on Local Government.

**Assembly Bill No. 475**—An act to amend Section 1152 of the Welfare and Institutions Code, relating to escapes from institutions under the jurisdiction of the Youth Authority.

Referred to Committee on Judiciary.

**Assembly Bill No. 533**—An act to amend Section 1362 of the Financial Code, relating to investment of funds of savings banks in district bonds, and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 643**—An act to amend Section 1 of the Storm Drain Maintenance District Act (Chapter 265 of the Statutes of 1937), relating to the maintenance and construction of additional storm drain channels or structures.

Referred to Committee on Local Government.

**Assembly Bill No. 785**—An act to amend Sections 7383, 7412, 7436, 7437, and 7442 of, and to add Article 4.5 to Chapter 10 of Division 3 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Business and Professions.

**Assembly Bill No. 872**—An act to amend Section 5024 of the Streets and Highways Code, relating to incidental expenses in improvement proceedings.

Referred to Committee on Local Government.

**Assembly Bill No. 1023**—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1144**—An act to amend Sections 12051, 12052, 12053, and 12054 of the Penal Code and to amend Section 8 of an act entitled, "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to the regulation of the possession, sale, use, and identification of pistols, revolvers and other firearms capable of being concealed upon the person.

Referred to Committee on Judiciary.

**Assembly Bill No. 1198**—An act to amend Section 411 of the Education Code, relating to the salary of county superintendents of schools.

Referred to Committee on Local Government.

**Assembly Bill No. 1364**—An act to repeal Section 19595 of the Business and Professions Code, relating to pari mutual wagering.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1660**—An act to amend Section 1120 of the Probate Code, relating to the judicial supervision of testamentary trusts.

Referred to Committee on Judiciary.

**Assembly Bill No. 1661**—An act to amend Section 11590 of the Business and Professions Code, relating to subdivision maps and the dedication of streets thereon.

Referred to Committee on Local Government.

**Assembly Bill No. 2126**—An act to amend Section 8561 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2450**—An act to add Section 36.5 to, and to amend Section 697 of, the Vehicle Code, relating to length and height of vehicles.

Referred to Committee on Transportation.

**Assembly Bill No. 2488**—An act to add Section 5100.5 to the Welfare and Institutions Code, relating to mentally ill persons who are ordered to be cared for and detained in a licensed sanitarium or hospital or otherwise cared for until the further order of the court.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2536**—An act to amend Section 1080 of, to add Sections 1080.1, 1080.2, 1080.5, 1080.6, and 1080.9 to, and to repeal Sections 1066.5, 1066.6, and 1066.7 of, the Agricultural Code, relating to pesticides and injurious pest control materials.

Referred to Committee on Agriculture.

**Assembly Bill No. 2888**—An act to add Sections 5474 to 5474.10, inclusive, to the Health and Safety Code, relating to the imposition, levy and collection of fees or charges for connections to sanitation or sewerage facilities.

Referred to Committee on Public Health and Safety.

**Assembly Joint Resolution No. 23**—Relative to the acquisition of Sequoia gigantea tree-bearing property.

Referred to Committee on Natural Resources.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Bill No. 705

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

BREED, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Senate Bill No. 902

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:  
Senate Constitutional Amendment No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; noes 1.

BREED, Chairman

Above reported resolution ordered to third reading.

**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:  
Assembly Bill No. 1343

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 249

Assembly Bill No. 1322

Assembly Bill No. 250

Assembly Bill No. 1323

Assembly Bill No. 251

Assembly Bill No. 1324

Assembly Bill No. 297

Assembly Bill No. 1344

Assembly Bill No. 1321

Assembly Bill No. 1464

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 1010

Assembly Bill No. 1907

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 642

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 573

Assembly Bill No. 2988

Assembly Bill No. 574

Assembly Bill No. 2990

Assembly Bill No. 575

Assembly Bill No. 2991

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Constitutional Amendment No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

TENNEY, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 1467

Assembly Bill No. 1470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

TENNEY, Chairman

Above reported bills ordered to second reading.

## ADJOURNMENT

At 4.40 p.m., on motion of Senator O'Gara, the President declared the Senate adjourned until 10.30 a.m., Tuesday, March 31, 1953.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-SEVENTH LEGISLATIVE DAY

FORTY-NINTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Tuesday, March 31, 1953

The Senate met at 10.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Hon. Harold J. Powers, President pro Tempore of the Senate.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. Mervin Daw of Santa Rosa.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Koppel and Irving Ziff of Los Angeles.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John H. Didier of Stockton, Miss Claudia Birdsong, and Gary Birdsong of Coalinga.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roy Anderson of Newport Beach.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lin Bothwell of Alameda.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Irene Bradford of Placentia.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Glenn Jacobsen, principal of Mt. View School, Lamont.

On request of Senators O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Kenneth R. McLea of South San Francisco.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lester Healey and daughters, Jean and Jane, Rialto; Ted Grieder of Fontana; Henry Rager of Fontana, and Mr. Jerry Smith of Bloomington.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Louis Bennett of Menlo Park and Mrs. Percy DaMant of East Palo Alto.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Carlton, Steve Carlton, and Bob Carlton of Redding.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge and Mrs. Byron Walters and daughter, Kathleen, Los Angeles.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert Hervey, Diana Hervey, Mrs. Lyle Smith, Pattie Smith, Mrs. Harry Eilertsen, and Pat Eilertsen, all of Stockton.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jean R. Paulson of Palo Alto.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Eileen Donnelly, granddaughter of Senator Donnelly, of San Rafael.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John B. Crossley, superintendent, Ventura Junior College, Ventura.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Morris Lavine of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. Hubbard Moffitt, Oakland; Joan Moffett, Alameda; Miss Judy Anderson of Alameda.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Paul Newell and Mrs. Ruth Newell of Oakland.



On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Patricia Jean Snyder, Joan Roberta Snyder, and Janine Hatfield Snyder of Contra Costa County.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Temple Davies, district superintendent, Lakeside Union Elementary, Kings County.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. P. Lyon of Sacramento and Mrs. Keith Summers of Los Angeles.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Margaret Baldwin of Downey; Loretta Tyman of Long Beach, and Mrs. Charles Bagwell of Compton.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Shirley Eads of Burbank and Mrs. S. J. Rorex of Bakersfield.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students of Technical High School, Oakland: Elinor H. Berg, Regina Berg, Wesley Berg, Leland Chu, Dan Eng, George Fong, Lawrence Fong, Lemuel Hom, Isao Ishikawa, Garland Jue, Anne Kohlmoos, Ana Kong, Lilia Kong, Bing Lee, Chong Lee, Jack Lee, Jeff Lee, Walton Leo, Edwin Leong, Grant Leong, Ita Marie Leung, Larry Lim, Sylvia Lim, Jackson Luis, Jimmy Pong, Charles Riley, Dan Stavropoulos, Katura Suzuki, Bing Wong, Bok Sun Wong, Selk Wong, Wing Wong, Jason Young, Wing Chew Wong, Mary Iwata, and Gary Lim.

On request of Senators O'Gara, Tenney, and Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Clifford Gillespie of Pomona, and Miss Mildred Folmar of Ontario.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Young People's Department of the Madera County Farm Bureau: Mr. and Mrs. Walter Shoemate, Mr. and Mrs. Robert Hansen, Mr. and Mrs. Roy Mallory, Mr. and Mrs. Don Fortune, Mr. and Mrs. Walter Kirby, Mr. and Mrs. Walter Hansen, Mr. and Mrs. Robert Weber, Mr. and Mrs. Bill Boysen, Mr. and Mrs. Wm. S. Eva, Jr., Mrs. Everett Mudge, Len Warren, Robert Montgomery, and Mrs. Romaine Sterling, all of Madera, California, and Mrs. Robert Silkwood, Oneals, California.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elton Brombacher of Richmond.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wilma Ross, Jeri Eliassen, Debbie Taggart, and Lupe Ross, all of San Diego.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Annette Hoberg and Miss Anne Hoberg of Hobergs; Miss Gail Busch, Miss Josephine Slade, Miss Laura Covey of Lakeport; Miss Ruth Whorff, Miss Joanne Butler, Miss Vern Dority of Kelseyville.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David Steinberg, Mr. Fred Zabaree, Miss Emma Lawrence and 44 pupils of Hughson High School, Stanislaus County.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the North Hollywood Assembly of the Rainbow for Girls: Louise Jacobs, Worthy Advisor; Karen Elliott, Donna Jo Gribble, Sandra Siebert, Elaine Phelps, Anna Sutton, Diane Valdez, Sally Kluiger, Joan Kluiger, Sondra Sue Jones, Dianna Nunnally, Mrs. Edward Solomon, associate mother advisor; Edward Solomon, chairman of advisory board; Mrs. Lily Valdez, Mrs. Nunnally, mothers of girls.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Vicki Sherman and Miss Glenda Geer of Los Angeles.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1061

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 481

Senate Bill No. 1946

Senate Bill No. 719

Senate Constitutional Amendment No. 23

Senate Bill No. 1067

And reports the same correctly engrossed.

POWERS, Chairman

#### Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 1279

Senate Bill No. 1284

Senate Bill No. 1282

Senate Bill No. 1285

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

#### Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 151

Senate Bill No. 157

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

BUSCH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:  
Senate Bill No. 629

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

BUSCH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:  
Senate Bill No. 156

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

BUSCH, Chairman

Above reported bill ordered to second reading.

**SPECIAL SENATE COMMITTEE ON  
LEGISLATIVE REPRESENTATION**

March 31, 1953

*President of the Senate  
California Legislature  
State Capitol  
Sacramento, California*

DEAR SIR: I am submitting herewith Progress Report of the Special Senate Committee on Legislative Representation for consideration of the Members of the Senate.

Your committee requests that this Progress Report be appropriately inserted in the Senate Daily Journal.

Respectfully submitted,

JAMES J. McBRIDE, Chairman

**PROGRESS REPORT OF THE  
SPECIAL SENATE COMMITTEE ON  
LEGISLATIVE REPRESENTATION**

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Senate and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and where necessary, has made investigation and your committee has found with respect to all of the persons named in this report that each is of good moral character, has complied with the provisions of Chapter 8, Part 1, Subdivision 2, Title 2, of the Government Code, and unless good cause to the contrary is shown, is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

LIST OF APPROVED ADVOCATES:

Agrillo, Anthony, P. O. Box 494, San Jose  
Calif. State Assn. of Journeyman Barbers, Hairdressers,  
Cosmetologists and Proprietors

- Arnstein, Lawrence, 45 Second St., San Francisco  
San Francisco Social Hygiene and Health Assn.
- Auble, E. F., Sacramento Hotel  
Intercounty Chambers of Commerce of Northern California
- Barr, W. A., Box 134, Mount Shasta, California  
Los Angeles County Board of Supervisors; Siskiyou Milk Producers Assn.; Northern Calif. Supervisors Assn.
- Beard, Kennan H., 720 Tenth St., P. O. Box 561, Modesto  
East Modesto Industrial Assn.
- Benton, Roy L., 1545 N. Verdugo Rd., Glendale  
Pacific Union Conference of Seventh Day Adventists
- Butler, Monroe, 417 S. Hill St., Los Angeles  
The Superior Oil Company; Artists' Managers Guild
- Calahan, Pecos H., 948 Bethany Rd., Burbank  
Calif. Legislative Council of Professional Engineers
- Cerf, Samuel, 2814 Fernwood Street, San Mateo  
Associated Retail Drycleaners of Calif., Inc.
- Daniels, Burdette J., 541 S. Spring Street, Los Angeles  
The Los Angeles Bar Assn.
- Dietrich, Homer E., 1100 Mission Rd., Los Angeles  
Los Angeles County Board of Supervisors
- Donoghue, Mort J., Municipal Airport, San Francisco  
The Flying Tiger Line, Inc.
- Eaton, Bette (Mrs.), 1407 Mt. Vernon Ave., Bakersfield  
Delta Club; Loani Club
- Eberhard, Ray C., 215 W. 7th St., Los Angeles  
Affiliated Teacher Organizations of Los Angeles  
Metropolitan Water District of Southern California  
California Municipal Utilities Assn.  
East Bay Municipal Utility Assn.
- Flynn, Frank X., 918 Kohl Bldg., San Francisco  
Southern California Spirits Foundation  
Wholesale Liquor Distributors of Northern California
- Garland, Gordon, P. O. Box 507, Woodlake, California  
Permitted Carrier Conferences
- Gilmore, John F., 1400 Tenth St., Sacramento  
California Hay, Grain & Feed Dealers Assn.
- Groezinger, Leland B., 400 Montgomery St., San Francisco  
American Mutual Alliance; California County Mutual Insurance Assn.; Occidental Life Insurance Co.; Pacific Mutual Life Insurance Co.; Home Builders Council of California
- Haggerty, C. J., 995 Market St., San Francisco  
California State Federation of Labor
- Halstead, E. L., 257 S. Spring St., Room 514, Los Angeles  
Los Angeles Fire and Police Protective League
- Hines, John V., 615 Forum Bldg., Sacramento  
California State Assn. of Life Underwriters, Inc.



- Hoerchner, E. R., 917 Phelan Bldg., San Francisco  
California Grocers Assn.; California State Brewers Institute
- Honey, Joseph H., 112 Valencia St., San Francisco  
California State Assn. of Journeymen Barbers, Hairdressers, Cosmetologists and Proprietors
- Hopelain, Richard, 503 Market St., Rm. 906, San Francisco  
Northern California Pharmaceutical Assn.
- Hull, Wayne J., 621 Chiquiata Rd., Santa Barbara  
California State Conference of Painters
- Hunt, J. W., 816 Sixth St., Sacramento  
Pacific States Cold Storage Warehouseman's Assn.; California Assn. of Ice Industries; California Warehousemen's Assn.
- Irwin, Frank, 926 J St., Sacramento  
California Taxpayers' Assn.
- Jefferson, Stanley M., Box 146, Glendale  
Pacific Union Conference of Seventh Day Adventists
- Kilroy, Dan O., 3300 Third Avenue, Sacramento  
California Medical Assn.
- Lewis, Mary Jane, Senator Hotel  
John P. Gilchrist Associates
- Loheit, Robert, 3716 J St., Sacramento  
Associated Master Barbers of California
- Long, John B., 809 Pacific Electric Bldg., 610 S. Main, Los Angeles  
California Newspaper Publishers Association, Inc.
- Matlock, Helen Hummer (Mrs.), 229 Ochsner Bldg., Sacramento  
American Association of University Women, California Division
- Merz, Elmer J., 304 Mitau Bldg., Sacramento  
California Association of Nurserymen
- Morton, Frew, 1675 Eddy Street, San Francisco  
Foster & Kleiser Company; Northern California Motor Car Dealers Association; Motor Car Dealers Association of San Francisco; Construction Industry Legislative Council of the California State Builders Exchange
- Mulkey, George A., 910 Central Tower, San Francisco  
International Brotherhood of Electrical Workers
- Munk, Carl B., 1419 Broadway, Oakland  
California School Trustees Association, Inc.
- Murphy, Clarence E., 5464 Foothill Boulevard, Oakland  
California Credit Union League
- Natapoff, Milton, 14901 McKinley Avenue, Compton  
Avalon Farms
- Newby, Nathan, Jr., 354 S. Spring Street, Los Angeles  
California Check Cashers and Sellers Association.
- Norton, T. M., 275 Bush Street, San Francisco  
California Bankers Association
- O'Brien, Timothy W., 1323 K Street, Sacramento  
California State Employees Association

- Oosterveen, Adolph, 3050 E. Fourth Street, Los Angeles  
American Naturopathic Association of California
- Phillips, James H., 1831 I Street, Sacramento  
California State Employees Association; California Association of  
Driver's License Examiners; Los Alamitos Race Course; Dog De-  
fenders League of California.
- Pascoe, William S., 593 Market Street, San Francisco  
California Association of Timber Truckers
- McFarland, John P., 155 Montgomery Street, San Francisco  
American Reciprocal Insurance Association; Industrial Indemnity  
Company; State Farm Insurance Companies; Firemen's Fund Group
- Ramuglia, Anthony, 117 W. Ninth St., Los Angeles  
California C. I. O. Industrial Union Council
- Read, Eugene A., 427 13th St., Oakland  
Oakland Chamber of Commerce
- Real, John J., Berth 73, San Pedro  
Fishermen's Cooperative Association of San Pedro
- Rice, T. Bancroft, Rancho San Miguel, Helendale, Calif.  
Helendale Farm Bureau
- Rumage, R. L., 3031 C St., Sacramento  
California State Employees Union, A. F. L.
- Schneider, Jake L., Sloughhouse, Calif.  
California Cattlemen's Association.
- Scott, R. J., 5615 W. Pico St., Los Angeles  
Southern California Cleaners and Dyers Association, Inc.
- Sloan, E. F., Box 108, San Carlos, Calif.  
Citizens Defense League of California  
California Rifle and Pistol Association
- Smith, Dave F., 925 Citizens National Bank Bldg., Los Angeles  
Los Angeles Motor Car Dealers Association
- Stoll, Katherine Adams, 412 W. Sixth St., Los Angeles  
California Federation of Business and Professional Women's Clubs
- Synon, John J., 6 Los Flores, South San Francisco  
Northern California Chapter, The Associated General Contractors of  
America, Inc.
- Tarnoff, Harry L., 115½ N. Larchmont Blvd., Los Angeles  
Automatic Laundry Association of Southern California  
Southern California Retail Liquor Dealers Association
- Trask, Bert, 3301 S. Grand Ave., Los Angeles  
California Motor Transport Association
- Trusty, L. Sherman, 349 S. Hill St., Los Angeles  
California Barber School Association
- Williams, W. F., 1404 Franklin St., Oakland  
California Association of Insurance Agents
- Tucker, George P., 2124 Kittredge, Berkeley  
The Morgan & Peacock Property Company

Burrell, Howard, Subway Terminal Bldg., Los Angeles  
California Hospital Association

Keaton, Morgan, 821 Market Street, San Francisco  
California Grocers' Association; Committee of Courtesy Bench Advertising Companies

Early, Robert E., 4680 Wilshire Boulevard, Los Angeles  
Farmers' Underwriters Association

Moore, C. B., 606 S. Hill Street, Los Angeles  
Western Growers Association

Pitts, Thomas L., 846 S. Union Avenue, Los Angeles  
California State Federation of Labor—A. F. L.

Harris, Homer A., 704 Market Court, Los Angeles  
Associated Produce Dealers & Brokers of Los Angeles

Peyser, Jefferson E., 1616 Mills Tower, San Francisco  
Wine Institute; Dr. R. M. Layne; Dr. E. L. Laisne; Dr. David Grossman; Los Angeles Housing Authority

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 784**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 705**—An act to amend Section 4986 of, and to add Sections 2635 and 2636 to, the Revenue and Taxation Code, relating to taxes on property acquired by governmental agencies.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

##### Amendment No. 1

In the title of the printed bill, strike out "and 2636 to,".

##### Amendment No. 2

On page 1 of said bill, strike out lines 11 to 18, inclusive.

##### Amendment No. 3

On page 1, line 19, of said bill, strike out "SEC. 3.", and insert "SEC. 2.".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

**Senate Bill No. 902**—An act to add Section 262 to the Revenue and Taxation Code, relating to the church exemption.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 642**—An act to add Section 605.5 to the Probate Code, and to add Section 14501.5 to the Revenue and Taxation Code, relating to inheritance tax and probate appraisers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 605.5", and insert "amend Section 605".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert "SECTION 1. Section 605 of the Probate Code is amended to read: 605. To make the appraisement, the court or judge must appoint one of the inheritance tax appraisers provided for by law, *which appraiser may be designated in the manner prescribed by a majority of the judges of the court from a panel of one or more appraisers appointed by a majority of the judges of the court in an order which shall remain in effect and apply to all matters pending in the court until modified or revoked*; or, upon the request of the executor or administrator or of any person interested in the estate, may, in its discretion, appoint three persons, one of whom must be an inheritance tax appraiser, in which case any two of them may act provided one of them be the inheritance tax appraiser."

**Amendment No. 3**

On page 1 of said bill, strike out lines 15 to 24, inclusive, and insert "14501.5. The inheritance tax appraiser may be designated and appointed from a panel of one or more inheritance tax appraisers in the manner prescribed by a majority of the judges of the court in an order which shall remain in effect and apply to all matters pending in the court until modified or revoked."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1010**—An act to amend Sections 11712, 11713, 11714, 11715, and 11715.7 of, to add Section 11715.8 to, and to repeal Section 11715.6 of, the Health and Safety Code, relating to narcotics.

Bill read second time, ordered engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1343**—An act to amend Sections 1364 and 1366 of the Financial Code, relating to legal investments for savings banks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 249**—An act to add Sections 18004 and 18672.1 to, and to amend Section 18671 of, the Financial Code, relating to industrial loan companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 250**—An act to amend Sections 18655 and 18656 of the Financial Code, relating to loan regulations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 251**—An act to amend Section 18410 of the Financial Code, relating to industrial loan companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 297**—An act to amend Section 1224 of the Financial Code, relating to the issuance of letters of credit by commercial banks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1321**—An act to add Section 14805.5 to the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 1322**—An act to amend Sections 14804 and 14805 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1323**—An act to amend Section 14454 of the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1324**—An act to add Section 15407 to the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1344**—An act to amend Section 1357 of the Financial Code, relating to investments by savings banks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1464**—An act to add Section 3121.5 to the Financial Code, relating to the transmittal by the Superintendent of Banks to the State Controller of signature cards and other identifying information in connection with unclaimed money or other property deposited in the State Treasury.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1907**—An act to amend Sections 71141, 71146, 71300, 72000, 72190, 72643, 72650, 72651, 72706, 72709, and 72715 of, and to add Sections 69584.5 and 69599.5 to, the Government Code, and to repeal Chapter 626 of the Statutes of 1919, Chapter 702 of the Statutes of 1931, and Chapter 263 of the Statutes of 1937, relating to the organization of courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 573**—An act to add Section 690.5 to the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 574**—An act to amend Section 1861 of the Civil Code, relating to liens of keepers of hotels, inns, boardinghouses and lodginghouses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 575**—An act to amend Section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses, furnished apartments, furnished cottages, or furnished bungalow courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2988**—An act to amend Section 8213 of the Government Code, relating to notaries public.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2990**—An act to amend Section 1057 of the Code of Civil Procedure, relating to obligees on bonds and undertakings executed by personal sureties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2991**—An act to amend Section 2469.1 of the Civil Code, relating to cessation of business conducted under a fictitious name.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1467**—An act to add Article 15, comprising Section 1578, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to unclaimed or abandoned property.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 22, of the printed bill, as amended, after the period, insert "The holder shall also diligently endeavor to locate such person and if, after due diligence, the person cannot be found for the purpose of so serving notice on him, that fact shall appear by affidavit to the satisfaction of the court or a judge or justice thereof filed with the petition."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1470**—An act to add Section 1382 to the Code of Civil Procedure, relating to the sale by the State Controller of real property distributed or escheated to the State of California.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

##### Amendment No. 1

On page 1, line 1, of the title of the printed bill, after the second "to", insert ", and amend Section 1373 of".

##### Amendment No. 2

On page 1, line 6, of said bill, after "order", strike out the comma, and insert "or".

##### Amendment No. 3

On page 1, line 7, of said bill, strike out "or operation of the law,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 4

On page 1 of said bill, between lines 10 and 11, insert

"This section does not apply to the disposition of tax deeded lands under Chapters 7, 8 or 9 of Part 6 of Division 1 of the Revenue and Taxation Code.

SEC. 1.5. Section 1373 of said code is amended to read:

1373. The Controller may lease or sell any real property for cash at public auction to the highest bidder.

Notice of the lease or sale shall be published [once a week for at least three weeks immediately preceding the date of the lease or sale. Publication shall be made] *pursuant to Government Code Section 606* in a newspaper published in the county in which the real property is situated, or in an adjoining county, if there is no newspaper published in such county. The notice is sufficient for all the purposes of such lease or sale if the real property is described [in general terms] *sufficiently to identify it*. The cost of publication shall be a charge against the proceeds of the lease or sale, or, if the lease or sale is not consummated, such cost shall be a legal charge against the appropriation for official advertising."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Call of the Senate**

Senator Hulse moved a call of the Senate.

Motion carried. Time, 10.55 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS****ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1061 carries an appropriation.

The President ordered Senate Bill No. 1061 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**MOTION TO RETAIN PLACE ON FILE**

Senator Brown moved that Senate Bill No. 133 be passed on file and retain its place on file.

Motion carried.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Miller asked for and was granted unanimous consent to have Senate Bill No. 138 passed on file and retain its place on file.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)****Senator Hatfield Presiding**

At 10.58 a.m., Senator George J. Hatfield, Vice Chairman of the Committee on Rules, presiding.

**Senate Bill No. 260** An act making an appropriation for the support of major construction, improvements, and equipment at the Porterville State Home, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 260:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 5, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 260**, "An act making an appropriation for the support of major construction, improvements, and equipment at the Porterville State Home, declaring the urgency thereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The need for seven additional ward buildings and related equipment at the Porterville State Home is urgent. There are many applications for the admittance of mentally defective children, for whom no room is now available in any state home. If this bill

can be passed immediately, between four and six months of time will be gained in the completion of the buildings, with a possible saving of money.

I therefore recommend consideration of Senate Bill No. 260 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1433**—An act to amend Government Code Section 39731 and to add thereto new sections numbered 39731.1 and 39731.2, relating to acquiring, operating, paying the cost of acquiring and operating, and protecting the property and revenues of ferry systems owned by fifth and sixth class cities.

#### Motion to Refer Bill to Inactive File

Senator Kraft moved that Senate Bill No. 1433 be placed on the inactive file.

Motion carried.

**Senate Bill No. 266**—An act to amend Section 292 of the Fish and Game Code, relating to fish and game and the administration of the laws pertaining thereto.

#### Motion to Refer Bill to Inactive File

Senator Williams moved that Senate Bill No. 266 be placed on the inactive file.

Motion carried.

**Senate Bill No. 500**—An act to amend Section 1012 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.



**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 542 be placed on the inactive file.

Motion carried.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to public shooting grounds.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 800 be placed on the inactive file.

Motion carried.

**Senate Bill No. 588**—An act to repeal Sections 650 and 659 of, and to add Section 651.1 to, the Fish and Game Code, relating to salmon, and declaring the urgency thereof.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 226**—An act to amend Section 39.2 of the Fish and Game Code, relating to fish and game and the administration of the laws pertaining thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1850**—An act to amend Section 21 of the Alcoholic Beverage Control Act (Chapter 330 of Statutes of 1935) and to amend Section 23986 of the Business and Professions Code, relating to applications for on-sale liquor licenses.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1221**—An act to amend Section 3041 of the Penal Code, relating to the time determination of parole may be made.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Coombs, Cunningham, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.19 a.m., on motion of Senator Hulse, further proceedings under the call of the Senate were dispensed with.

#### RECESS

At 11.20 a.m., on motion of Senator Coombs, the Senate recessed to allow Senator Coombs to introduce to the Senate Mr. Gerald Ferguson, Director, and the A Cappella Choir of the Pacific Union College of Angwin, Napa County, who entertained the Senate with a few selections.

#### REASSEMBLED

At 11.35 a.m., the Senate reconvened.

Senator George J. Hatfield, Vice Chairman of the Committee on Rules of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 11.36 a.m.

The presiding officer directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1222**—An act to amend Section 3020 of the Penal Code, relating to the authority of board in determining and redetermining term of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, and Weybret—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 481**—An act to amend Section 810.5 of, and to add Sections 810.51, 810.52, 810.53, and 810.54 to, the Agricultural Code, relating to asparagus standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Collier, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 719**—An act to amend Section 821.15 of, and to add Section 823.5 to, the Agricultural Code, relating to fruit and vegetable standardization.

Bill read third time, and presented by Senator Abshire.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 54

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 54**—Relative to the death of Arthur W. Carlson.

#### Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, for consideration.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

**Assembly Concurrent Resolution No. 54**—Relative to the death of Arthur W. Carlson.

Resolution read, and adopted on a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Resolution ordered transmitted to the Assembly.

### RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

#### Senate Resolution No. 94

Relative to the death of Richard K. Gandy

WHEREAS, In the death of Richard K. Gandy of Santa Monica, the Senate again is saddened by the loss of one of California's prominent citizens; and

WHEREAS, His successful conduct of a private law practice always gave way to such civic responsibilities in Santa Monica as membership on the Board of Education, in the Chamber of Commerce, and in the Republican Club, and he served his profession as vice president of the State Bar; and

WHEREAS, He was for a time vice president of the former National Bank of Santa Monica, and organizer of the Southern California Bankers Association; and

WHEREAS, His desire to serve during World War II led him to such positions as special counsel for his local draft board, chairman of the civil rights section of the civil defense organization, and finally to active duty with the United States Army, being separated from the Air Technical Service Command as a Lieutenant Colonel; and

WHEREAS, He was born in Colorado Springs, Colorado, received his undergraduate degree at Stanford University, and his law degree at Denver University, and was admitted to the Colorado Bar in 1923; now, therefore, be it

*Resolved by the Senate of the State of California*, That the members thereof hereby make known their sympathy for the widow of Richard K. Gandy, Mrs. Nellie DeLisle Gandy, his daughter, Mrs. Milton D. Garland, Jr., and his brother, Robert A. Gandy; and be it further

*Resolved*, That the Secretary of the Senate be directed, and he is hereby so directed, to transmit a suitably engrossed copy of this resolution to Mrs. Nellie Gandy.

Resolution read, and adopted on a motion of Senator Tenney.

#### Motion to Adjourn in Memory of Richard K. Gandy

Senator Tenney moved that when the Senate adjourns this day, it does so in respect to the memory of the late Richard K. Gandy.

Motion carried.

### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

#### Motion to Refer Bill to Inactive File

Senator Tenney moved that Assembly Bill No. 13 be placed on the inactive file.

Motion carried.

**Assembly Bill No. 1896**—An act to codify Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, relating to the selection and acquisition by the State of real property for use in furtherance of the postwar construction program, by adding Part 11, comprising Sections 15850 to 15866, inclusive, to Division 3, Title 2 of the Government



Code, and repealing Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, and making an appropriation.

Bill read third time, and presented by Senator Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1896:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1896**, "An act to codify Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, relating to the selection and acquisition by the State of real property for use in furtherance of the postwar construction program, by adding Part 11, comprising Sections 15850 to 15866, inclusive, to Division 3, Title 2 of the Government Code, and repealing Chapter 18 of the Statutes of the Second Extraordinary Session of 1944, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Murdy, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1897**—An act to codify Chapter 1455 of the Statutes of 1947, relating to the United States Flood Control Receipts Fund, by adding Article 7, comprising Sections 16414 to 16417, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and repealing Chapter 1455 of the Statutes of 1947, and making an appropriation.

Bill read third time, and presented by Senator Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1897:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1897**, "An act to codify Chapter 1455 of the Statutes of 1947, relating to the United States Flood Control Receipts Fund, by adding Article 7, comprising Sections 16414 to 16417, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and repealing Chapter 1455 of the Statutes of 1947, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

#### Motion to Amend Title

Senator Cunningham moved the adoption of the following amendment to the title of Assembly Bill No. 1897:

#### Amendment No. 1

In line 3 of the title of the printed bill, strike out "16414", and insert "16415".

Amendment read, and adopted.

Assembly Bill No. 1897 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 1908**—An act to add Title 8 to the Government Code, to consolidate and revise the law relating to a system of courts of the State and judges, officials, attaches and employees thereof, to repeal acts and parts of acts specified therein, and to amend Sections 61.4, 269, and 274c of the Code of Civil Procedure, to repeal Section 36 of the Code of Civil Procedure, and to add Section 3020.5 to the Government Code.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1908:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 18, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1908**, "An act to add Title 8 to the Government Code, to consolidate and revise the law relating to a system of courts of the State and judges, officials, attaches and employees thereof, to repeal acts and parts of acts specified therein, and to amend Sections 61.4, 269, and 274c of the Code of Civil Procedure, to repeal Section 36 of the Code of Civil Procedure, and to add Section 3020.5 to the Government Code,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1924**—An act to codify Chapter 1551 of the Statutes of 1949 by repealing said chapter and adding Chapter 5 to Division 7 of the Water Code, relating to the State Water Pollution Control Fund and the use thereof for making loans to municipalities and districts for sewerage and storm drainage facilities.

Bill read third time, and presented by Senator Cunningham.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1924:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1924**, "An act to codify Chapter 1551 of the Statutes of 1949 by repealing said chapter and adding Chapter 5 to Division 7 of the Water Code, relating to the State Water Pollution Control Fund and the use thereof for making loans to municipalities and districts for sewerage and storm drainage facilities,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Weybret—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1925**—An act to codify Chapter 1514 of the Statutes of 1945 and Chapter 142 of the Statutes of the 1946 First Extraordinary Session, relating to the control, conservation, and use of the water resources of the State, and continuing a special fund in the State Treasury for flood control projects and allocations for certain projects, by adding Part 6 to Division 6 of the Water Code, and repealing Chapter 1514 of the Statutes of 1945 and Sections 1 to 11, inclusive, and Sections 16 and 17 of Chapter 142 of the 1946 First Extraordinary Session.

Bill read third time, and presented by Senator Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1925:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1925**, "An act to codify Chapter 1514 of the Statutes of 1945 and Chapter 142 of the Statutes of the 1946 First Extraordinary Session, relating to the control, conservation, and use of the water resources of the State, and continuing a special fund in the State Treasury for flood control projects and allocations for certain projects, by adding Part 6 to Division 6 of the Water Code, and repealing Chapter 1514 of the Statutes of 1945 and Sections 1 to 11, inclusive, and Sections 16 and 17 of Chapter 142 of the 1946 First Extraordinary Session."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Weybret—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1926**—An act to codify Chapter 1070 of the Statutes of 1943 by repealing said chapter and adding Section 8679 to the Water Code, relating to revenue of the Reclamation Board.

Bill read third time, and presented by Senator Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1926:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1926**, "An act to codify Chapter 1070 of the Statutes of 1943 by repealing said chapter and adding Section 8679 to the Water Code, relating to revenue of the Reclamation Board."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.



It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, and Weybret—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 27**—An act making an appropriation for construction, improvements, repairs, and equipment of a hospital annex and alterations to existing hospital at Pacific Colony, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 27:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 18, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 27**, "An act making an appropriation for construction, improvements, repairs, and equipment of a hospital annex and alterations to existing hospital at Pacific Colony, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

Existing hospital facilities at Pacific Colony are inadequate even for the present population and new ward buildings are now under construction. It is imperative, therefore, that the construction of the hospital treatment center be expedited so that it may be completed as soon as possible.

I therefore recommend consideration of Assembly Bill No. 27 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

**NOES**—None

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 34**—An act making an appropriation for construction, improvements, and equipment, Long Beach State College, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 34:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 3, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 34**, "An act making an appropriation for construction, improvements, and equipment, Long Beach State College, declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation for construction, improvements, and equipment of a science building at the Long Beach State College. There is urgent need for a science building at the new State College in Long Beach, and the building should be constructed as early as possible.

I therefore recommend consideration of Assembly Bill No. 34 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1053**—An act adding Sections 30.5 and 30.6 to Chapter 47 of the Statutes of 1943 (Fourth Extra Session), relating to allocations to counties and cities for public works, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator O'Gara.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, and Weybret—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 547**—An act to amend Section 10460 of, and to add Sections 10103, 10463, and 10464 to, the Business and Professions Code, relating to real estate brokers' and salesmen's licenses.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2966**—An act to amend Section 2733.5 of the Business and Professions Code, relating to the practice of nursing.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 208**—An act to amend Section 28120 of the Government Code and Section 79.49 of the Code of Civil Procedure, relating to compensation for services performed for counties of the twentieth class.

Bill read third time, and presented by Senator Abshire.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 851**—An act to amend Section 31520.1 of the County Employees Retirement Law of 1937 (Government Code, Part 3, Chapter 3) to establish an alternate member on the retirement board for safety members.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2832**—An act to amend Sections 3, 4, 5, 9, 11, 12, 13, 14, 15, 20, 21, and 25 of the Parking District Act of 1951, to add Sections 19a and 23a to said act, and to repeal Section 27 of said act, and to repeal Sections 35563, 35566, and 35704 of, to add Sections 35269.5, 35272.5, 35401.5, 35415.5, 35430, 35431, 35554.5, 35704, and 35705 to, and to amend Sections 35108, 35250, 35251, 35258, 35268, 35272, 35273, 35400, 35401, 35402, 35404, 35407, 35411, 35414, 35558, 35560, 35561, 35562, 35564, 35565, 35571, and 35703 of, the Streets and Highways Code, relating to the formation of districts within municipalities for the acquisition and improvement of parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable from revenues from such parking places from revenues from parking meters on some or all of the public ways in such districts and from ad valorem assessments upon real property in such districts; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts; declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 409**—An act to add Section 14444.2 to the Health and Safety Code, relating to county fire protection districts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 610**—An act to amend Section 28153 of the Government Code, and Section 453 of the Education Code, relating to compensation and qualifications for public services in counties of the fifty-third class.

Bill read third time, and presented by Senator Tenney.



The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

#### President pro Tempore of the Senate Presiding

At 12.45 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 1305**—An act to amend Sections 31592, 31620, 31621, 31860 of the Streets and Highways Code, to add Sections 31710, 31784.1 and 31866 to said code, and to repeal Chapter 11 of Part 1 of Division 18 of said code, relating to vehicle parking districts, the financing of parking places, the condemnation of property therefor, the making of advances for the acquisition and improvement, the use of revenues from parking meters in the district and the addition of land to the district, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Ward, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1877**—An act to repeal Division 6 of the Fish and Game Code, relating to repeals effected by said code.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1878**—An act to codify Chapter 76 of the Statutes of 1933 by repealing said chapter and adding Chapter 1.5 to Part 3 of Division 4 of the Fish and Game Code, relating to the importation and transportation of wild birds and animals.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1879**—An act to codify Chapters 357 and 363 of the Statutes of 1951 by repealing said chapters and adding Articles 4 and 5 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal hunting and fishing licenses and privileges.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1923**—An act to codify Chapter 815 of the Statutes of 1933 by repealing said chapter and adding Part 3 to Division 3, Title 1, of the Corporations Code, relating to cooperative associations for the handling, marketing, and distribution of fish and fishery products.

Bill read third time, and presented by Senator Ed. C. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1986**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation for industrial disease.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1987**—An act to repeal Section 1944.1 of the Labor Code, relating to the employment of certain aliens.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1988**—An act to amend Section 1204 of the Labor Code, relating to the employment of women and minors.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1163**—An act to amend Sections 13920 and 16001 of the Government Code, relating to pay of state officers and employees.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1458**—An act to add Section 1321 to Article 1 of Chapter 2 of Title 10 of Part 3, and to repeal Section 1477, of the Code of Civil Procedure.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

#### Motion to Amend Title

Senator Cunningham moved the adoption of the following amendment to the title of Assembly Bill No. 1458:

#### Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert “, relative to the deposit of unclaimed property.”

Amendment read, and adopted.

Assembly Bill No. 1458 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 1460**—An act to amend Section 1313 of, and to add Sections 1313.1 and 1356 to, the Code of Civil Procedure, relating to unclaimed property.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1462**—An act to amend Sections 1143 and 1144 of the Probate Code, relating to estates of deceased persons.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Cunningham, Dilworth, Donnelly, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1463**—An act to add Section 1147.5 to the Probate Code and to add Section 1449 to the Code of Civil Procedure, relating to estates of deceased persons.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1465**—An act to amend Section 1153 of the Probate Code, relating to reports by public administrators.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1466**—An act to amend Section 1575 of the Code of Civil Procedure and Section 1056.5 of the Insurance Code, relating to the disposition of unclaimed moneys in connection with the dissolution or liquidation of insurance companies.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Constitutional Amendment No. 10**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 17 of Article I, relating to rights of aliens.

Resolution read, and presented by Senator Tenney.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 599**—An act to amend Section 678 of the Agricultural Code, relating to butter.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 600**—An act to amend Section 661 of the Agricultural Code, relating to license fees for frozen dairy products and imitations thereof.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Donnelly, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 604**—An act to amend Section 260.2 of the Agricultural Code, relating to bovine brucellosis.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 1.30 p.m., on motion of Senator McBride, further proceedings under the call of the Senate were dispensed with.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Constitutional Amendment No. 31:** By Senator Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IV thereof, relating to legislative sessions.

Referred to Committee on Governmental Efficiency.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1498

Senator Hatfield moved that Senate Bill No. 1498 be withdrawn from Committee on Business and Professions for purpose of amendment and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1498**—An act to amend Section 16329 of the Business and Professions Code, relating to the Itinerant Merchants Act.

Bill read second time.

## Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 1, of the title of the printed bill, strike out "Section 16329 of", and insert "Sections 16320, 16350, 16390, 16392, and 16411 of and to add Sections 16360, 16361, 16362 and 16363 to".

## Amendment No. 2

On page 1, line 1, of said bill, strike out "16329", and insert "16320".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 3

On page 1 of said bill, strike out all of lines 2 to 6, inclusive, and insert "16320. "Itinerant merchant" means every person who buys for the purpose of sale, or offers to buy for the purpose of sale, at wholesale or retail, any farm products, and who transports such products upon a public highway *outside the limits of an incorporated city* by the use of a motor vehicle [to any county in this State, other than the county in which the products were purchased,] for the purpose of selling such products in this State.

SEC. 2. Section 16350 is amended to read:

16350. The [commission] board shall not renew the license of a licensee against whom there is an unsatisfied judgment rendered in any action arising out of the licensee's business in this State as an itinerant merchant [or to an itinerant merchant who has been convicted of a misdemeanor violation arising from action instituted under the provisions of this chapter].

SEC. 3. Article 3.5 comprising Sections 16360, 16361, 16362 and 16363 is hereby added to the said code, to read:

## Article 3.5. Revocation and Reinstatement of License

16360. Whenever a licensee under this chapter fails to comply with any provision of this chapter or any rule or regulation of the board prescribed and adopted thereunder, the board upon hearing after giving the licensee 10 days' notice in writing of the time and place of the hearing to show cause why his license should not be revoked, may revoke the license.

16361. The board may impound the vehicles of a licensee whose license has been revoked and who continues to engage in business as an itinerant merchant after having been notified by the board of the revocation. Regardless of any other provision of law to the contrary, the licensee shall be deemed to have been notified of the revocation by the placing of a written notice of the revocation in the mail directed to the licensee at his last known place of address according to the records of the board.

16362. The board may retain possession of the vehicle until the licensee has complied with the provisions of this chapter or rules and regulations prescribed by the board thereunder, and the fee for reinstatement of the license together with all costs incurred in connection with the impounding or storage of the vehicle have been paid.

16363. Subsequent to the revocation of the license of a licensee the board shall reinstate the license when the licensee complies with the provisions of this chapter and pays a fee of twenty dollars (\$20) to the board for reinstatement."

SEC. 4. Section 16390 is hereby amended to read:

16390. The [commission] board shall [assign] issue to each licensee [a number for each vehicle] an identification sticker for each vehicle to be used by the licensee in his business as an itinerant merchant. [and the commission shall issue to the licensee

for each such vehicle an identification sticker of such color and form as to be readily distinguishable from motor vehicle license plates issued by the Department of Motor Vehicles.]

Sec. 5. Section 16392 is amended to read:

16392. No motor vehicle shall be operated by an itinerant merchant unless the vehicle is equipped with an identification sticker as provided in this chapter. An identification sticker shall not be transferred from one vehicle to another. *If an itinerant merchant sells or otherwise disposes of a vehicle for which an identification sticker has been issued for the calendar year for which the license provided under Section 16344 of this chapter has been issued, and acquires another vehicle in replacement thereof, a new identification sticker shall be issued for the replacement vehicle without the payment of the license fee prescribed by Section 16430 of this chapter.*

Sec. 6. Section 16411 is amended to read:

16411. [Each manifest shall be kept in duplicate.] The itinerant merchant shall preserve a copy of each manifest [ . On or before the fifteenth day of every month, each itinerant merchant shall file with the commission the original copies of the manifest covering all goods purchased by the merchant in the course of his business as an itinerant merchant in this State during the preceding calendar month.] *and shall maintain records of his purchases and sales of farm products indicating the kind, quantity and cost of products purchased and the amount realized from sales. The manifests and records shall be made available to the board for inspection by its representatives. The manifests and records shall be kept at the place of address appearing on the license of the licensee or at his place of residence."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1641

Senator Hatfield moved that Senate Bill No. 1641 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1641**—An act to add Section 736.5 to the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time.

#### Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "736.5", and insert "4294.5".

#### Amendment No. 2

In line 2 of the title of said bill, after "cream", insert ", providing for the pricing of inter-market shipments of fluid cream and fluid skim milk, and declaring the purpose and intent of this act".

#### Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4294.5 is added to the Agricultural Code, to read:

4294.5. Each such stabilization and marketing plan may contain provisions whereby the director designates and prescribes or provides methods for designating or prescribing minimum prices to be paid by distributors to producers for fluid milk which is received by a distributor in one marketing area and separated in that area into fluid cream and fluid skim milk when such fluid cream or fluid skim milk or both are transported for utilization into another marketing area or into a locality in which no stabilization or marketing plan is in effect.

Sec. 2. It is the purpose and intent of this act to rectify and clarify the following situation. It appears that when fluid milk is purchased by a distributor from a producer in one marketing area, separated in that area into fluid cream and fluid skim milk and the fluid cream or fluid skim milk or both are transported from that marketing area the price paid to the producer has not been considered as being subject to the provisions of the law relating to the fixing of minimum prices for fluid milk. This appears to have been the interpretation placed upon the law by the Department of

Agriculture (Pricing Inter-market Transfers of Bulk Grade A Cream and Skim Milk, Bulletin 732, California Agricultural Experiment Station). The Legislative Counsel is of the opinion that the Director of Agriculture has the power under pre-existing law to control the prices paid in such cases (Senate Journal, January 6, 1953, pages 51, 52, 53). The Attorney General is of the opinion that such authority is doubtful and that clarifying legislation should be enacted (Opinion No. 537, printed in the Senate Journal, January 17, 1953, pages 396-399, inclusive).

It has never been the actual intent of the Legislature that the provisions of law relating to the pricing of fluid milk should be evaded by the simple expedient of separating such milk into its constituent fluid cream and fluid skim milk and shipping either or both out of the marketing area in which the fluid milk was originally received. It is the purpose of this act to authorize the Director of Agriculture to make provision for the fixing of minimum prices to be paid to producers for fluid milk under the circumstances above described."

#### Amendment No. 4

On page 1 of said bill, strike out lines 2 to 18, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 885

Senator Donnelly moved that Senate Bill No. 885 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 885**—An act to amend Section 16271 of the Education Code, relating to the Public School System.

Bill read second time.

#### Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 1, of the title of the printed bill, strike out "Section 16271", and insert "Sections 6703, 6711, 6713".

#### Amendment No. 2

On page 1, line 2, of the title of said bill, after "system", insert ", declaring the urgency thereof, to take effect immediately,".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1 of said bill, strike out lines 1 through 10, and insert

"SECTION 1. Section 6703 of the Education Code is amended to read:

6703. (a) Not less than 85 percent of all moneys apportioned to a school district from the State School Fund, allowed as basic state aid and state equalization aid, during any fiscal year must be expended during the same fiscal year for the payment of salaries of persons employed by the district in positions requiring certification qualifications or for the payment of tuition by the district to another district.

(b) In the event it appears to the governing board of a school district that the application of the preceding paragraph of this section during a fiscal year would result in serious hardship to the district, or in the payment of salaries to persons employed by the district in positions requiring certification qualifications substantially in excess of the salaries paid persons employed in positions requiring certification qualifications by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district, apply to the Superintendent of Public Instruction



in writing not later than July 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraph of this section for the fiscal year on account of which the application is made. Upon receipt of such application, duly approved, the Superintendent of Public Instruction may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made.

(c) *If any portion of the 85 percent of the money is not expended as required by subsection (a) and is not exempted under subsection (b), the county superintendent of schools having jurisdiction over the district shall add such portion to the 85 percent required to be expended for salaries or tuition for the next succeeding fiscal year or he shall transfer 80 percent of such amount to the county school service fund pursuant to Section 7203.*

SEC. 2. Section 6711 of said code is amended to read:

6711. No school district, other than one newly formed, shall, except as otherwise provided in this article, receive any apportionment from the State School Fund unless it has maintained the regular day schools of the district for at least [170] 175 days during the next preceding fiscal year.

SEC. 3. Section 6713 of said code is amended to read:

6713. A district which is prevented from maintaining its schools during a fiscal year for [the length of time prescribed by Section 6711] *at least 175 days* because of fire, flood, or epidemic, or because of any order of any military officer of the United States or of the State to meet an emergency created by war, or of any civil officer of the United States, or of the State, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war, or because of other extraordinary conditions, or because of inability to secure or hold a teacher, or because of the illness of the teacher, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the school district and of the county superintendent of schools, shall receive the same apportionment from the State School Fund as it would have received had it not been so prevented from maintaining school for [the number of days prescribed by Section 6711] *at least 175 days*.

SEC. 4. Section 6813 of said code is amended to read:

6813. The minimum school day for pupils of kindergarten is 180 minutes, inclusive of recesses except that if [during the Fiscal Years 1950-1951, 1951-1952, and 1952-1953] a school district [maintained or] maintains two kindergarten classes on the same day which are taught by the same teacher, the minimum school day for each of such classes shall be 130 minutes inclusive of recesses.

SEC. 5. Section 6814 of said code is amended to read:

6814. [Each 180 minutes] *A day of attendance in a kindergarten [shall constitute a day] is 180 minutes of attendance.*

SEC. 6. Section 6815 of said code is amended to read:

6815. The minimum school day in grades one, two, and three in elementary schools is 200 minutes. [Each 200 minutes of attendance shall constitute a] *A day of attendance is 200 minutes of attendance.*

SEC. 7. Section 6816 of said code is amended to read:

6816. The minimum school day in grades four, five, six, seven, and eight in elementary schools and in special day and evening classes of an elementary school district, is 240 minutes. [Each] *A day of attendance is 240 minutes of attendance [shall constitute a day of attendance].*

SEC. 8. Section 6822 of said code is amended to read:

6822. The minimum school day in any high school, except in an evening high school, a continuation high school, and in continuation education classes, is 240 minutes. [Each] *A day of attendance is 240 minutes of attendance [shall constitute a day of attendance].*

SEC. 9. Section 6823 of said code is amended to read:

6823. In [evening high schools,] continuation high schools and continuation education classes, [each 180 minutes] *a day of attendance [shall constitute one day] is 180 minutes of attendance but no pupil in any [continuation high] such school or [continuation education] class shall be credited with more than 15 hours of attendance in any calendar week.*

SEC. 10. Section 6833 of said code is amended to read:

6833. [Each 180 minutes] *A day of attendance in grades 11 and 12 [shall constitute one day] is 180 minutes of attendance.*

SEC. 11. Section 6841 of said code is amended to read:

6841. [Each] *In classes for adults, a day of attendance is 180 minutes of attendance [shall constitute a day of attendance, but no pupil shall be credited with more than 15 clock hours of attendance during any one school week].*

SEC. 12. Section 6854 of said code is amended to read:

6854. The attendance of physically handicapped pupils instructed *by the county superintendent of schools* pursuant to Section 9641 shall be credited as follows:

(a) The attendance of pupils taught in emergency elementary schools shall be credited to the emergency schools.

(b) The attendance of elementary school pupils given individual instruction in the home or at the bedside in institutions or by cooperative arrangement with the Bureau of Vocational Rehabilitation of the State Department of Education shall be credited to an emergency elementary school maintained for physically handicapped pupils, if such a school is maintained in the county, or if no such school is maintained in the county the attendance shall be credited to an emergency elementary school maintained in the county, but not to more than one emergency elementary school. If no emergency school is maintained in the county, the total number of days of attendance of pupils shall be divided by [170] 175 to compute average daily attendance, and the average daily attendance so computed shall be credited to the county school service fund as attendance upon a single emergency elementary school for individual instruction of physically handicapped children.

(c) The attendance of pupils of secondary grade given individual instruction in the home or in institutions or by cooperative arrangement with the Bureau of Vocational Rehabilitation of the State Department of Education, or instructed in special classes of secondary grade, shall be credited to the county school service fund.

(d) The attendance of pupils taught by emergency teachers in the regular schools of the districts of any county shall be credited to the districts, *except that the attendance of pupils taught by emergency teachers pursuant to Section 9607.3 in the regular schools of the district of any county shall be credited to the county school service fund in accordance with subdivision (b) of this section.*

(e) The attendance of pupils residing in one county and educated under contract with the county superintendent of schools or governing board of a school district of another county, shall be credited to the county school service fund of the county, or district, in which the pupils are educated.

Sec. 13. Section 6901 of said code is amended to read:

6901. Where in a high school, junior college, or elementary school four terms of school of at least 12 weeks each are maintained during a fiscal year, and where the course of instruction is so arranged that students may complete a full year's work in any three terms, the total number of days of pupils' attendance shall be divided by the greatest number of days school was actually taught in any three of the four terms, but in no case shall the divisor be less than [170] 175.

Sec. 14. Section 6911 of said code is amended to read:

6911. The units of average daily attendance in the elementary schools of a district for a fiscal year shall be computed by dividing the total number of days of pupils' attendance in all kindergarten and elementary schools and classes of the district during the fiscal year by the number of days school was actually taught in the regular day elementary schools of the district during the fiscal year, plus the units of average daily attendance credited to the district under an account of the education of seventh and eighth grade pupils in a junior high school pursuant to Section 6944.

Sec. 15. Section 6921 of said code is amended to read:

6921. The units of average daily attendance for a fiscal year in an emergency school maintained by the county superintendent of schools shall be computed by dividing the total number of days of pupils' attendance in the emergency school during the fiscal year by [170] 175.

Sec. 16. Section 6931 of said code is amended to read:

6931. The average daily attendance of physically handicapped elementary pupils given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by [170] 175.

Sec. 17. Section 6932 of said code is amended to read:

6932. The average daily attendance of physically handicapped pupils of secondary grade given instruction by a county superintendent of schools and whose attendance is credited to the county school service fund, shall be computed by dividing the total days of attendance of such pupils during the fiscal year by [170] 175.

Sec. 18. Section 6933 of said code is amended to read:

6933. The average daily attendance of mentally retarded minors given instruction by a county superintendent of schools shall be computed by dividing the total days of attendance of such pupils during the fiscal year by [170] 175 and the average daily attendance so computed shall be credited to the county school service fund.

Sec. 19. Section 6934 of said code is amended to read:

6934. The average daily attendance of pupils attending an elementary school or secondary school maintained by a county superintendent of schools for the education of persons in a juvenile hall or in a juvenile home or camp, shall be computed by dividing the total days of pupils' attendance in the school during the fiscal year by [170] 175 and the average daily attendance so computed shall be credited to the county school service fund.

Sec. 20. Section 6951 of said code is amended to read:

6951. The average daily attendance for the fiscal year of pupils residing in any county of this State and attending a school in an adjoining state under Chapter 16 of this division, shall be computed by dividing the total number of days of attendance of such pupils in the school by the number of days the school was maintained during

said fiscal year, but by not less than [170] 175, and the average daily attendance so computed shall be credited to the county school tuition fund.

SEC. 21. Section 6961 of said code is amended to read:

6961. The units of average daily attendance in grades 13 and 14 in each junior college of a district for a fiscal year shall be computed by dividing the total number of whole or partial class hours of pupils attendance in the junior college during the fiscal year by 525. [A] The class hour unit for the purposes of this section is defined as not less than 50 minutes exclusive of passing time. *The State Board of Education may define partial class hours and make rules concerning the computation thereof.*

SEC. 22. Section 6803 of said code is amended to read:

6803. The total days of attendance of a pupil upon a regular full-time day kindergarten, elementary school, high school, [or] junior college, or schools or classes maintained by the county superintendent of schools during the fiscal year shall be the number of days school was actually taught for not less than the minimum school days during the fiscal year less the sum of his absences due to causes other than his illness. Absence due to illness shall be verified by the district or the county superintendent of schools in such manner as the Superintendent of Public Instruction shall require.

SEC. 23. Section 8005 of said code is amended to read:

8005. The county superintendent of schools shall, when there is sufficient money in the fund of any school district to maintain a free school in the district for [170] 175 days of actual teaching, if the trustees neglect or refuse to employ a teacher, appoint a teacher, and open and keep the school. He may draw his requisition upon the county auditor, who shall draw his warrant upon the fund of the district for the expense incurred.

SEC. 24. Section 8704, as added by Chapter 401 of the Statutes of 1947, and Section 8704, as added by Chapter 228 of the Statutes of 1951, of said code are repealed.

SEC. 25. Section 8704 is added to said code, to read:

8704. Evening high schools and evening junior colleges shall consist of classes for adults.

SEC. 26. Section 8705 is added to said code, to read:

8705. High schools, evening high schools, junior colleges and evening junior colleges maintained in any state prison, including the Deuel Vocational Institution, the California Institution for Women, and the Medical Facility, prison camp, or prison farm or in any county, city and county, or city jail, road camp, or farm shall consist only of classes for adults.

SEC. 27. Section 8815 of said code is amended to read:

8815. Junior colleges or junior college classes maintained in a high school district may be maintained for such period and at such times during the school year as the governing board of the high school district may determine, but in no case shall the total number of days of actual teaching in the junior colleges or junior college classes be less than [170] 175 in any school year.

SEC. 28. Section 9707 is added to said code, to read:

9707. No class for adults shall be maintained by any district for which the district receives compensation, excepting fees authorized by Section 9191, from any public or private agency, individual or group of individuals.

SEC. 29. Chapter 10.1 is added to Division 4 of said code, to read:

#### CHAPTER 10.1. SPECIAL DAY AND EVENING CLASSES FOR ADULTS IN SECONDARY SCHOOLS

9751. The governing board of any school district maintaining secondary schools is authorized without the approval of the State Department of Education to establish and maintain special day and evening classes for adults in civic, vocational, literacy, health, homemaking, technical and general education, including but not limited to classes in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics. Such classes shall be designed to provide instruction and to contribute to the physical, mental, moral, economic, or civic development of the individuals or groups enrolled therein.

9752. Special day and evening classes for adults shall be open for the admission of adults and of such minors as in the judgment of the governing board may profit therefrom.

9753. Special day and evening classes for adults may be convened at such hours and for such length of time during the day or evening and at such period and for such length of time during the school year as may be determined by the governing board of the district.

9754. Governing boards shall have the authority to provide for granting appropriate certificates or other recognition of skill or accomplishment in such classes.

9755. Attendance or average daily attendance in special day or evening classes for adults pursuant to this chapter shall not be reported to the State Department of Education for apportionment. No apportionment from state funds shall be made to establish or maintain such classes.

9756. Governing boards are authorized to expend any district funds to establish and maintain special day or evening classes for adults and may charge student fees



not to exceed the cost of maintaining such classes or may provide instruction in such classes for remuneration by contract, or with contributions or donations of individuals or groups.

**SEC. 30.** The requirement that a district maintain school for at least 175 days shall not apply to apportionments from the State School Fund made for attendance in the 1952-53 Fiscal Year. The provisions of law in effect January 1, 1953, requiring that school be maintained at least 170 days shall apply to such apportionments.

**SEC. 31.** This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1953. A statement of the facts constituting such necessity is as follows:

The adoption by the people of the State of California at a general election held November 4, 1952, of amendments to the Constitution of the State of California amending Section 6 of Article IX of said Constitution, to take effect July 1, 1953, requires that this act take effect immediately in order that the will of the people respecting the support of the Public School System shall be given effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 48**

Senator Hoffman moved that Senate Bill No. 48 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 48**—An act to add Section 19622.6 to the Business and Professions Code, relating to a continuing appropriation to 1-A District Agricultural Association for a junior livestock show.

Bill read second time.

##### **Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

##### **Amendment No. 1**

On page 1, line 5, of the printed bill, strike out the comma, and insert a period.

##### **Amendment No. 2**

On page 1 of said bill, strike out lines 6 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### **WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 970**

Senator Weybret moved that Senate Bill No. 970 be withdrawn from Committee on Labor for purpose of amendment and re-referred to committee.

Motion carried.

#### **SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 970**—An act to amend Section 4663 of the Labor Code, relating to workmen's compensation.

Bill read second time.



**Motion to Amend**

Senator Weybret moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out the words "amend Section 4663", and insert "repeal Section 6904"; and strike out "workmen's compensation", and insert "safeguards on railroads".

**Amendment No. 2**

Strike out all of said bill, and insert

"The people of the State of California do enact as follows:

SECTION 1. Section 6904 of the Labor Code is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 971**

Senator Weybret moved that Senate Bill No. 971 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 971**—An act to amend Section 4453 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Motion to Amend**

Senator Weybret moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out "amend Section 4453", and insert "repeal Section 6903"; and strike out "workmen's compensation", and insert "train crews".

**Amendment No. 2**

Strike out all of said bill, and insert

"The people of the State of California do enact as follows:

SECTION 1. Section 6903 of the Labor Code is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 973**

Senator Weybret moved that Senate Bill No. 973 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 973**—An act to add a new Section 5005 to the Labor Code, relating to workmen's compensation.

Bill read second time.

**Motion to Amend**

Senator Weybret moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out "a new Section 5005", and insert "Section 103"; and strike out "workmen's compensation", and insert "jurisdiction of the Division of Labor Law Enforcement".

**Amendment No. 2**

Strike out lines 1 to 7, of said bill, and insert

"SECTION 1. Section 103 is added to the Labor Code, to read:

103. The Division of Labor Law Enforcement shall have no jurisdiction in respect to disputes between an employer and employee subject to the Railroad Labor Act."

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 937**

Senator Harold T. Johnson moved that Senate Bill No. 937 be withdrawn from Committee on Education for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 937**—An act to amend Sections 8951 and 8952 of the Education Code, relating to special day and evening classes and summer schools in elementary schools.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "schools", insert ", consisting of special day classes or special evening classes or both,".

**Amendment read, and adopted.**

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1504**

Senator Harold T. Johnson moved that Senate Bill No. 1504 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1504**—An act to amend Section 7702 of the Education Code, relating to the State Allocation Board.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In the first line of the title of the printed bill, strike out "7702", and insert "7717".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "7702", and insert "7717".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

### Amendment No. 3

On page 1 of said bill, strike out lines 3 through 24, and insert

"7717. No apportionment shall be made for new construction which, when added to the area of adequate school construction existing in the applicant school district at the time of application, will provide a total area of school building construction per unit of average daily attendance of the estimated average daily attendance in excess of that computed under the following schedule:

Type of school	Average daily attendance	Sq. ft. per unit of average daily attendance
Junior high school comprising grades 7 to 9, inclusive--	750 or more	75
Junior high school comprising grades 7 to 10, inclusive--	750 or more	75
High school comprising grades 7 to 12, inclusive-----	750 or more	80
High school comprising grades 9 to 12, inclusive-----	750 or more	80
High school comprising grades 10 to 12, inclusive-----	750 or more	80
Junior college comprising grades 13 and 14, inclusive--	750 or more	80
Junior college comprising grades 11 to 14, inclusive--	750 or more	80

Elementary schools in a district comprising any combination of grades from kindergarten through the 8th grade with a total estimated district average daily attendance in kindergarten and grades 1 to 6, inclusive, of 300 or more, shall be allowed 55 square feet per unit of average daily attendance in kindergarten and grades 1 to 6, inclusive, and 75 square feet per unit of average daily attendance in grades 7 and 8.

[The total number of square feet per unit of average daily attendance shall constitute an average allowance per unit of average daily attendance, within which allowance shall be made for physically handicapped, mentally handicapped, or cerebral palsied pupils.]

To the building area permitted to an applicant school district by this section, there may be added such additional building area as may be required to provide adequate facilities for exceptional children pursuant to Article 3 of this chapter.

The maximum total building areas per unit of average daily attendance allowed to applicants having schools with smaller estimated average daily attendance than shown in the above schedule shall be determined by the Department of Education, and shall be building areas to provide comparable facilities to those enumerated above, and shall be the least building area required to house adequately the estimated average daily attendance and the normal instructional and other services.

No estimate of average daily attendance made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 470

Senator Burns moved that Senate Bill No. 470 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 470**—An act to add Article 2.5 to Chapter 6 of Division 4 of the Agricultural Code, relating to frozen dairy products and imitations thereof.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate March 25, 1953, strike out the period and insert ", declaring the urgency thereof, to take effect immediately."

**Amendment No. 2**

On page 1, line 25, of said bill, as amended, strike out "presented", and insert "established".

**Amendment No. 3**

On page 2 of said bill, as amended, after line 24, insert

"Sec. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The presence on the market of imitation frozen dairy products which resemble in all respects the real products would be conducive of fraud and deception of the purchasers and cause confusion on the part of the purchasers thereof. The existing regulatory law on the subject of imitation dairy products has proved ineffective for the accomplishment of its purposes. Imitation frozen dairy products are now being manufactured in other states not far from California. These products are considerably less expensive than the real products they resemble. There is no practicable method of preventing their shipment into this State. Once within this State such products may legally be sold in compliance with the present regulatory laws. Such laws, however, are susceptible of evasion. Since the imitation products resemble the real products so closely as to be practically indistinguishable, once the fraud is perpetrated it can not be detected. The only way the public can be protected is by prohibitory legislation applicable to all imitation frozen dairy products wherever produced, and it is necessary in the interests of the welfare of the people that this be done immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**REPORTS OF STANDING COMMITTEES****Committee on Social Welfare**

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 511

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1448

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Assembly Bill No. 1937

Assembly Bill No. 1939

Assembly Bill No. 1938

Assembly Bill No. 1942

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

DORSEY, Chairman

Above reported bills re-referred to Committee on Finance.



SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 1940

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 1935

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 2; absent 1.

DORSEY, Chairman

Above reported bill ordered to second reading.

**Committee on Judiciary**

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 1955

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

TENNEY, Chairman

Above reported bill ordered to second reading.

**Committee on Public Utilities**

SENATE CHAMBER, SACRAMENTO, March 30, 1953

MR. PRESIDENT: The Committee on Public Utilities, to which was referred:

Senate Bill No. 878

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 7.

O'GARA, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 787

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Elections, to which was referred:

Assembly Bill No. 1065

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass as amended.

Committee membership 7; committee vote: Ayes 5; absent 2.

DILWORTH, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 1066

Assembly Bill No. 1077

Assembly Bill No. 1067

Assembly Bill No. 1078

Assembly Bill No. 1076  
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

**Committee on Transportation**

## SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1581

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 109

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 3473

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 1.35 p.m., on motion of Senator Burns, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 1, 1953, out of respect to the memory of the late Richard K. Gandy and the late Arthur W. Carlson.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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THIRTY-EIGHTH LEGISLATIVE DAY

FIFTIETH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, April 1, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Sutton, on motion of Senator Ed. C. Johnson, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Viola Merson, Marcia Will, Mrs. Ronald Parks, and Miss Elaine Stewart, all of San Luis Obispo.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rulon Keetch, Assistant Superintendent of Standard School District of Oildale.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Paul E. Walters,

District Superintendent, Soquel Union; Mrs. Walters, and Jerry Walters, all of Soquel.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Goldie Horton and Lloyd F. Krelle, teachers; Mr. and Mrs. Arthur Downing, George Baker, Michael Profit, Paulette McDonald, Mrs. Ruth Stone, Kenneth McDonnell, adults; and the following students from the Eighth Grade of Los Gatos Union School: Ann Barnett, Nancy Brown, Donna Creech, Davey Downing, Iva Elliott, Kathleen Ertel, Donna Farnsworth, Nancy Gridley, Billy Haver, Dick Hedges, Frankie Koontz, Don Mack, Norma Merrell, Wayne Nelson, Monty Nielsen, Janet Norstad, Amelia Reveles, Marian Riedel, Linda Rolph, Pamela Shur, Stephen Swenson, Gary Trout, Kaye Worth, Roberta Mitchell, Buddy Skelton, Carolyn Ferreira, Kay Maddrey, Carol Adams, Jeffrey Rochin, Arthur Lutus, Robert Shaw, Rilla McReynolds, Claude Peters, Robbie Goff, Billy Shaddox, Marlene Barcus, Velia Aginlar, Bruce Wade, Robert Hill, Jimmy Loar, Peggy Fulkerson, Dale Sutton, Marianne Smith, Aneda Herrirra, June Dhonghe, Roy Avina, and Sharon Teel.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Edward Praena of San Jose.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. B. Pennell of Del Paso Heights; Mrs. E. F. Orehwa, Lincoln; and Mrs. Jack Stockley, city councilwoman of Lincoln.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Los Angeles Pioneer Girls from North Highland, North Highlands Church.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following advisors and Rainbow Girls: *Pontana Assembly No. 61*—Betty Van Buren, Betty Greisz, Emily Groch, Patsy Wiese, Marsha Tout, and Mrs. Ray Cuthbert; *Colton Assembly No. 79*—Myrna Baker, Roberta Noren, Beverly Bunch, Betty Brush, Josephine Reaves, Joann Hicks, Lee Ann Robbins, Patsy Walker, Mary Jo Bailey, Barbara Roesner, Donna Fryer, Donna Swartz, Judy Olson, Rosemary Blinn, Sharon Johnson, Denise Fedigan, Roxy Lynn Smith, and Nancy Galloway; *Adults*—Mrs. S. L. Galloway, Mrs. Guy W. Kraft, Mrs. D. G. Fedigan, Mrs. Fred Brush, and Mrs. W. R. Walker; *San Bernardino Assembly No. 78*—Vivienne Vanouse, Worthy Advisor; Mrs. Frances Ousley, Mother Advisor; Wilbur Teeple, Toparch of the Sciots, sponsors; Kathleen Cellar, Patricia Goddard, Shirley Vahl, Joy Gorian, Doris Cannom, Sharon Rae Patterson, Shirley Stephan, Marienne Vanouse, Genie Berwold, Carol Fischer, Barbara Musso, Kay Wharton, Barbara Porterfield, Madeline Burger, Ann Westbrook, Jo Anne Hanlin, Sally Dewar, Janene Rose, Shirley Stephenson, Mary Van Voorhis, Darlene Dooley, Carolyn Kirk, Donna Holt, Susie Morse, and Marilyn Waite; *Adults*—Mr. and Mrs. Jos. Ousley, Mr. and Mrs. Ed Burger and daughter, Mr. and Mrs. Wilbur Teeple, Mrs. Vijola Nations, Mr. and Mrs. H. Goddard, Mrs. Bernardine Dewar, Tom Dewar, and Mrs. Marie Vanouse.



On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Evan Borst of Lodi.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John Frost, Miss Shirley Frost, Miss Sybil Perrault, Miss Pat Thomason, Mrs. Louise Doolittle, Miss Carol Martin, Miss Janet Pratt, and Miss Pat Mitchell, all of Banning.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. H. Howard of Garden Grove, Mrs. G. H. Davis of Long Beach, Demos Shakarian of Downey, Raymond and Sodie Holt, Harvey Holt, and Christine Holt, all of Pomona; Leonard W. Pores and Howard O. Parker of Stockton; Mr. and Mrs. William C. Middleton, Nancy and Douglas, of Westminster.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stefni Hancock, granddaughter of Senator Kraft, and Chuck Johnson of San Diego, and Edgar Peterson of Sacramento.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Byron Lampson, Mr. and Mrs. C. Proschold, of Geyserville, and Mrs. R. R. Emparan of Sacramento.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. L. C. Pence of Spokane, and son, Robert L. Pence.

On request of Senator O'Gara and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the San Francisco Seals: Doc Hughes, trainer; Elmer Singleton, Al Lien, Jim Moran, Reno Cheso, Frank Bruno Kalin, Don Klein, Nini Tornay, Will Tiesiera, Bill Bradford, and Jack Simmons.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Helen Austin of Berkeley and Mrs. Robert I. Montgomery of Hartford.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Velda Turner of Pasadena; Jean Tasker of Pasadena; Carole Ver-Planck of Pasadena; Stanley Newman of Baldwin Park, Fred Lee of Baldwin Park; Barbara Prior of Arcadia; Jean Maxwell of Pasadena, Virginia L. Mott of Arcadia; Evelyn Roense of Monrovia; Vena Eliason of Alhambra; Arthur Wilson of Baldwin Park; Mr. and Mrs. John B. Norberg of San Marino; Donald Norberg of San Marino; Doug Norberg of San Marino; Lyman D. La-Tourrette of Los Angeles; Clyde C. Rowland of San Gabriel and the following Rainbow Girls from Inglewood Assembly No. 113 and Edena No. 109 of Long Beach: *Assembly No. 113*—Doris Citeys, Worthy Advisor; Charlene Edwards, Janet Doven, Pat Sturgill, Niota Smith, Carol Lytle, Charlotte Lytle, Janice Hillhouse, Grace Carle, Carol Hanson, Terry Crego, Shirley Wade, Barbara Gatewood, Mrs. Reed, Mother Advisor, Mrs. Crego, Mrs. Doven, Mrs. Hanson, and Mrs. Edwards; *Edena No. 109*—Mona Aleck, Yvonne McFarlin, Donna Shelton, Nancy Martin, Barbara Wheeler, Marie Sheldon, Chick Jirikovec, Glenda Cabe, and Mrs. Margie Cate, Advisor.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lovie Reina, Barbara Rae Kelsey, and Pat Mounts, all of Santa Maria.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Raines, principal; Mrs. McCorkle, leader; Mrs. Rawson, assistant leader; and the following members of Arden School Troop 168: Sandra Phillips, Peggy Van Der Volgen, Pattie Connors, Marcia Rawson, Renée Falli, Vickie Vertress, Nancy Gill, Catherine Smith, Linda Harwood, Linda Hubbard, and Lois McCorkle.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Gertrude Chapin, Mrs. Frances Kerr, Mrs. William Hofricht, and the following members of San Leandro Camp Fire Girls: Janet Kerr, Judy Kerr, Stephanie Webster, Joyce Hofricht, Lois Nichols, Joan Humphries, Patty Power, Gay Gagnon, Marne Chapin, Frances Ernslic, Debra Round, Judy Fletcher, and Judy Lavey.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Carol Callison, Miss Donna Rotan, Miss Karen Korsin, all attending the Rainbow Convention from Reedley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Beryl Whittier, Mrs. Arthur Hinton, Mother Advisors, and the following members of Rainbow Assembly No. 33 of Berkeley: Miss Eleanor Venstrom, Miss Carolyn Henderson, Miss Karen Ekstrand, Miss Genny Stohler, Miss Margaret Davison, Miss Susan Brown, and Miss Avalene Henningsen.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. A. Thomason, District Superintendent of Schools of North Fork, Madera County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elizabeth K. McFeely and Mrs. Harry Sunderland, P.-T.A. President of Oakland; Mrs. Clifford Wolford, President of Frick Junior High School P.-T.A. of Oakland; Mrs. Walter Ridgwell, President-elect of Frick Junior High P.-T.A. of Oakland; Mrs. Harold Cosgrove, Treasurer of Frick Junior High P.-T.A. of Oakland; Mrs. Karl Crabill, Corresponding Secretary-elect of Frick P.-T.A. of Oakland; Mrs. Everett Neumiller, Chairman of Home Department, Frick P.-T.A. of Oakland.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. Cruikshanks, Randal Cruikshanks, and Colin Cruikshanks of San Luis Obispo.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James E. Hugin of McCloud.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. August Breaker and Miss Maidie Brown of Calistoga.

On request of Senator Gibson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ola Hettinger and Emire Jensen of Sonoma County, Worthy Advisors of Benicia Assembly

No. 95 of Rainbow Girls and the following members: Beverly Bernardo, Linda Lippincott, Pat Pressley, Grace Hambrick, Norma Sharon, Joyce Elshire, Marie Precow, Eu Geneie Best, Linda Loftfield, Geraldine Woodard, Carol Pressly, Judy Perry, Judy Conlin, Shirley Fisher, Janet Braker, Luella Higginson, and Marleen Higginson.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. W. Conroy, representative of Puget Sound Power and Light Co., Seattle Wash.; Steve and Richard Roach of North Sacramento, and Richard F. Desmond of Sacramento.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marily L. Crater of Reseda; Dr. and Mrs. Gerald Prindiville of Burbank; Mrs. Margie Cate of Long Beach; Donna Shelton of Long Beach, Glenda Cate of Long Beach; Mona Aleck, Barbara Wheeler, Nancy Martin of Long Beach; Hazel Sirikovea and Marie Shelton of Long Beach.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Burr and Mr. and Mrs. Harold Buhlman of Hanford.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 104	Senate Bill No. 597
Senate Bill No. 124	Senate Bill No. 703
Senate Bill No. 191	Senate Bill No. 747
Senate Bill No. 231	Senate Bill No. 797
Senate Bill No. 277	Senate Bill No. 798
Senate Bill No. 279	Senate Bill No. 821
Senate Bill No. 282	Senate Bill No. 823
Senate Bill No. 288	Senate Bill No. 825
Senate Bill No. 290	Senate Bill No. 933
Senate Bill No. 344	Senate Bill No. 1218
Senate Bill No. 498	Senate Bill No. 1350
Senate Bill No. 503	Senate Bill No. 1650
Senate Bill No. 541	Senate Bill No. 1800
Senate Bill No. 594	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 29	Senate Bill No. 700
Senate Bill No. 94	Senate Bill No. 701
Senate Bill No. 280	

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.



ASSEMBLY, CALIFORNIA LEGISLATURE  
April 1, 1953

*Mr. Joseph A. Beck*  
*Secretary of Senate*  
*Senate Chamber*  
*Sacramento, California*

DEAR MR. BECK: I have been instructed by the Assembly to request the Senate to return Senate Bill No. 290 to this House for further consideration.

Very truly yours,

ARTHUR A. OHNIMUS

**Motion to Return Senate Bill No. 290 to Assembly**

Senator Powers moved that Senate Bill No. 290 be returned to the Assembly pursuant to their request for further consideration.

Motion carried.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.45 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**  
**COMMUNICATIONS**

The following communications were received and read, and ordered printed in the Journal:

STATE WATER RESOURCES BOARD  
SACRAMENTO, March 30, 1953

*Hon. Goodwin J. Knight*  
*President of the Senate*  
*State Capitol Building*  
*Sacramento, California*

DEAR MR. KNIGHT:

Pursuant to the action of the State Water Resources Board on March 13, 1953, there is transmitted herewith a copy of Resolution No. 165 "In Memoriam Honorable Jesse M. Mayo".

Very truly yours,

A. D. EDMONSTON, Secretary  
By SAM R. LEEDOM  
Administrative Assistant

**RESOLUTION NO. 165**

In Memoriam  
Honorable Jesse M. Mayo

WHEREAS, Senator Jesse M. Mayo of Angels Camp, was suddenly stricken with illness in the midst of his legislative endeavors, and passed away on March 12, 1953, and

WHEREAS, Senator Mayo was a legislator of great vision and understanding of the multiple problems of developing the resources of California, and

WHEREAS, He has been an able and conscientious advocate of the State program to conserve and utilize the waters of this State, and has willingly given of his time, his ability and leadership in initiating legislation to this end, and

WHEREAS, His passing is a great loss to the State of California, and his advice and assistance will be greatly missed by those interested in formulating plans for the improvement of our way of living;

*Now, Therefore, Be It Resolved* by the State Water Resources Board of California that it extend to the bereaved members of his family and to his many friends and constituents, its deepest sympathy and condolences, and be it further

*Resolved*, That the Secretary of this Board be, and is hereby directed to forward this resolution to Hildred Mayo, his widow, Raymond Mayo and Jesse Mayo, Jr., his sons and Mrs. W. A. Mayo, mother of the Honorable Jesse M. Mayo, and to the President of the Senate and the Speaker of the Assembly of the California State Legislature.

Adopted by the State Water Resources Board of California, March 13, 1953.

A. D. EDMONSTON, Secretary



## STATE OF SOUTH DAKOTA

Pierre

## THIRTY-THIRD LEGISLATIVE SESSION

January sixth, 1953 through March sixth, 1953

## SENATE JOINT RESOLUTION NO. 4

A JOINT RESOLUTION, Applying for a convention to propose an amendment to the Constitution of the United States to provide an additional independent mode of proposing amendments to the constitution by the sovereign states their inherent power to amend the constitution.

BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE OF REPRESENTATIVES JOINTLY CONCURRING:

That the Legislature of the State of South Dakota hereby respectfully makes application to the Congress of the United States to call a convention for proposing an amendment to Article V of the Constitution of the United States so that Article V of the Constitution of the United States shall read as follows:

## ARTICLE V — AMENDMENTS

"The Congress, whenever two thirds of both Houses shall deem it necessary shall propose amendments to this Constitution, or, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing amendments, or, whenever two thirds of each House of the Legislature of any State shall deem it necessary, amendments to this Constitution may be proposed to the several States by any State, which, by whatever mode proposed, when ratified by the Legislatures of three fourths of the several States, shall be valid, to all intents and purposes, as part of this Constitution; Provided, that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

or such other form of amendment to Article V as such convention may deem appropriate to provide a clear, simple mode of proposing amendments by the several States, as an additional independent mode of proposing amendments, and to safeguard the inherent power of the sovereign States to amend the Constitution;

That the Congress hereby is requested to call said convention to convene at Constitution Hall, Independence Square, in the City of Philadelphia, in the sovereign State of Pennsylvania, in honor of the nation's founders and for invocation, and from there to adjourn to more convenient accommodations within said city for the holding of said convention as the convention may determine, at the hour of 10 o'clock, a.m., on the first Monday of the first December following transmission to the Senate and the House of Representatives of the Congress of applications therefor by the Legislatures of two thirds of the several States;

That the several States shall have equal suffrage at said convention and be entitled to one seated delegate and such alternate delegates (thereat as the Legislatures of the several States shall choose, and in the event any of the several States fail to choose a delegate or alternate then the highest officer of its Legislature or the President of its Senate, if none be higher, shall be the delegate, and the next highest officer of its Legislature or the Speaker of its House of Representatives, if none be higher, shall be the alternate of such State at said convention, who shall be certified to said convention by the Secretary of the State of the respective several States;

That said convention shall be limited and restricted specifically to the proposal of such amendment, the choosing of officers and staff and adoption of rules of procedure for the conduct of said convention, the determination of any issues respecting the seating of delegates thereat, and adjournment from day to day and place to place within said city as may be convenient and sine die, and said convention shall not be held for any other purpose nor have any other power;

That a printed record shall be made of the proceedings at said convention and that copies thereof, certified by the chief clerk of said convention, shall be transmitted to the Senate and the House of Representatives of the Congress, the Department of State of the United States, and to the Secretary of State of each of the several States;

Be It Further Resolved that the Congress hereby is requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the Legislatures of three fourths of the several States;

Be It Further Resolved that the Secretary of State hereby is directed to transmit copies of this Resolution to the Senate and the House of Representatives of the Congress and to the Department of State of the United States and to each Senator and Representative in the Congress from this State, as soon as practicable after July 15, 1953; and

Be It Further Resolved that the President of the Senate hereby is directed to transmit copies of this Resolution to the President of the Senate and the Speaker of the House of Representatives of the Legislatures of the several States, forthwith upon its adoption.

Adopted by the Senate, February twentieth, 1953. Concurred in by the House of Representatives, March fifth, 1953.

REN A. TERRY, Lieutenant Governor  
President of the Senate

(SEAL)

Attest: NIELS P. JENSEN, Secretary of the Senate  
Official: GERALDINE OSTROOT, Secretary of State

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 276—An act to add Section 11007.7 to the Government Code, relating to the powers of the Department of Finance with respect to insurance;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1953, at 1:30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 784

Senate Bill No. 902

Senate Bill No. 1010

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 642

And reports the same correctly engrossed.

POWERS, Chairman

### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1477

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 2821

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1884

Assembly Bill No. 310

Assembly Bill No. 1146

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

PARKMAN, Chairman

Above reported bills ordered to second reading.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 151, 157 carry an appropriation.

The President ordered Senate Bills Nos. 151, 157 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1279**—An act to repeal Chapter 728 of the Statutes of 1909, relating to the American River No. 1, Reclamation Districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1282**—An act to repeal Chapter 384 of the Statutes of 1913, relating to Reclamation District No. 1400.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1284**—An act to repeal Chapter 567 of the Statutes of 1877-8, relating to Reclamation District No. 254.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1285**—An act to repeal Chapter 348 of the Statutes of 1877-8, relating to Reclamation District No. 252.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 629**—An act to add Section 6463 to the Public Resources Code, relating to mineral claims on state-owned land.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6463", and insert "7306".

**Amendment No. 2**

In line 2 of the title of said bill, after "land", insert "and providing for the sale of the land within such claims".

**Amendment No. 3**

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"Section 7306 is added to the Public Resources Code, to read:

7306. In any case where a mining claim was located on state owned land prior to July 29, 1921, in the manner then provided by state and federal law for the location of mining claims, and where the locator or his successor in interest has without default performed the assessment work and filed the affidavits required by state or federal law for mining claims, the claimant thereof may make application to the commission to purchase the land within the exterior boundaries of the claim as provided in this section. The application shall contain such information as the commission may require. The applicant shall submit to the commission such documentary or other evidence as it requires to satisfy the commission that the requirements of this section have been met with reference to the land applied for. If the commission is satisfied that the applicant is entitled to purchase the land a patent shall be issued to the applicant upon the payment of one dollar and twenty-five cents (\$1.25) for each acre or fraction thereof of the land within the exterior boundaries of the claim. In such case the mineral rights in the land shall not be reserved to the State and the patent shall convey all the right, title and interest of the State in and to the lands.

This section shall remain in effect until the 91st day after the final adjournment of the 1955 Regular Session of the Legislature. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but

such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**Senate Bill No. 156**—An act to amend Section 4014 of the Public Resources Code, relating to cooperation with the Federal Government with respect to forest lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

##### Amendment No. 1

On page 1, line 18, of the printed bill, strike out "and", and insert "the".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1448**—An act to add Section 203.7 to the Welfare and Institutions Code, relating to the obligation of each county to pay for the hospital treatment of its indigent residents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 878**—An act to amend Sections 41 and 42 of the Public Utility District Act of 1921 (Chapter 560 of the Statutes of 1921), and to amend Sections 16501 and 16544 of the Public Utilities Code, relating to bids for furnishing supplies to and for construction work in public utilities districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities:

##### Amendment No. 1

On page 2, lines 44 and 45, of the printed bill, strike out "five hundred dollars (\$500)", and insert "two thousand dollars (\$2,000)".

##### Amendment No. 2

On page 4, line 11, of said bill, strike out five hundred dollars (\$500)", and insert "two thousand dollars (\$2,000)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1581**—An act relating to the California Toll Bridge Authority.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

##### Amendment No. 1

On page 2, line 11, of the printed bill, strike out "from the first day"; and strike out all of lines 12 and 13, and insert ", computed from the day of withdrawal".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 511**—An act to add Section 1550.6 to the Welfare and Institutions Code, relating to reinvestigation of eligibility for aid to needy children.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1940**—An act to add Article 2 to Chapter 6, of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Unemployment Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, line 1, of the printed bill, after "Chapter 6," insert "of Part 1,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Assembly Bill No. 1935**—An act to establish an unemployment insurance code, thereby consolidating and revising the law relating to unemployment and disability compensation, and to repeal acts and parts of acts specified therein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1955**—An act to add Section 243a to the Penal Code, relating to offenses against reporters, newscasters and photographers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 3 of the title of the printed bill as amended in Assembly March 4, 1953, after "newscasters", insert "television camera operators".

**Amendment No. 2**

On page 1, line 11, of said bill, as amended, after "or", insert "television".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 787**—An act to amend Section 1 of Chapter 842 of Statutes of 1951 and to add Section 5931.5 to the Elections Code, relating to elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill as amended March 5, 1953, strike out "amend Section 1 of Chapter 842 of Statutes of 1951 and to".

**Amendment No. 2**

In line 3 of the title of said bill, as amended, strike out "elections", and insert *way voters and providing for the registration of provisions relating thereto*."

**Amendment No. 3**

On page 1 of said bill, as amended, strike out lines 1 to 10, inclusive.

**Amendment No. 4**

On page 1, line 11, of said bill, as amended, strike out "Six, 2", and insert "Section 1".

**Amendment No. 5**

On page 2 of said bill, as amended, after line 8, insert:

Sec. 2. The sections added to the Elections Code by Chapter 842 of the Statutes of 1951 and by this act shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session and thereafter shall have no force or effect. While such sections are in effect they shall supersede any existing provisions which are in conflict with them, but such provisions are not repealed by them and after those sections are no longer effective shall have the same force as though these sections had not been enacted.

Amendments read and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1065**—An act to amend Section 45 of the Elections Code, relating to the signing of petitions or papers by voters.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1066**—An act to amend Section 180 of the Elections Code, relating to registration of electors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1067**—An act to amend Section 220 of the Elections Code, relating to registration of electors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1076**—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1077**—An act to amend Section 3529 of the Elections Code, relating to ballot forms.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1078**—An act to amend Section 3924 of the Elections Code, relating to ballot forms.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3473**—An act to amend Section 377 of the Streets and Highways Code, relating to State highway routes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 225**—An act to repeal Section 89.6 of the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Murdy, O'Gara, Powers, Regan, Thompson, Way, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1619**—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read third time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the bill as amended in Senate March 5, 1953, after "of", insert "and to add Sections 65.1, 65.2 and 65.3 to".

**Amendment No. 2**

On page 1, line 7, of said bill, as amended, strike out "In the interest of pre-" and strike out lines 8 to 15, inclusive.

**Amendment No. 3**

On page 1 of said bill, as amended, after line 24, insert "Sec. 65.1. In the interest of preventing labor disputes the department shall endeavor to promote sound union-employer relationships.

Sec. 65.2. The department may arbitrate or arrange for the selection of boards of arbitration on such terms as all of the bona fide parties to such dispute may agree upon.

Sec. 65.3. Records of the department relating to labor disputes are confidential; provided, however, that any decision or award arising out of arbitration proceedings shall be a public record."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 1946**—An act to amend Section 13196 of the Government Code, relating to the use of water of the Napa State Farm.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Regan, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1067**—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read third time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in Senate March 25, 1953, after "sorority", insert "dormitory".

**Amendment No. 2**

On page 1, line 10, of said bill, as amended, after the second period, insert "This section does not prohibit the serving of homogenized market milk from a milk dispensing device which has been approved for such use by the director in accordance with Section 461."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 784**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.10 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Bill No. 902**—An act to add Section 262 to the Revenue and Taxation Code, relating to the church exemption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Thompson, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1046**—An act to amend Sections 137 and 146 of the Agricultural Code, relating to the expense of abatement work in plant quarantine and pest control.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Murdy, O'Gara, Powers, Regan, Tenney, and Way—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1127**—An act to amend Sections 911.23, 912, and 914 of, and to repeal Section 911.25 of, the Agricultural Code, relating to agricultural seeds and seed inspection.

Bill read third time, and presented by Senator Hatfield.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, and Way—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1978**—An act to amend Sections 400 and 415 of the Agricultural Code, relating to estrays or unclaimed animals or hides.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Murdy, O'Gara, Powers, Regan, Thompson, Way, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1979**—An act to amend Sections 380.64, 512, 661(d), 679, 737.10, 1092, and 1300.2 of the Agricultural Code, relating to the reports of the Director of Agriculture.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Regan, Thompson, Way, and Williams—28.

**NOES**—None.

#### Motion to Amend Title

Senator Grunsky moved the adoption of the following amendment to the title of Assembly Bill No. 1979:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "661(d)", and insert "661".

Amendment read, and adopted.

Assembly Bill No. 1979 ordered reprinted, and transmitted to the Assembly.

**Assembly Bill No. 249**—An act to add Sections 18004 and 18672.1 to, and to amend Section 18671 of, the Financial Code, relating to industrial loan companies.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, O'Gara, Powers, Regan, Thompson, Way, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 250**—An act to amend Sections 18655 and 18656 of the Financial Code, relating to loan regulations.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote: \*

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Thompson, Way, and Williams—30.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 251**—An act to amend Section 18410 of the Financial Code, relating to industrial loan companies.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, and Way—29.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 297**—An act to amend Section 1224 of the Financial Code, relating to the issuance of letters of credit by commercial banks.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, and Way—26.  
**NOES**—None.

Bill ordered transmitted\*to the Assembly.

**Assembly Bill No. 1321**—An act to add Section 14805.5 to the Financial Code, relating to credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, Way, and Williams—28.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1322**—An act to amend Sections 14804 and 14805 of the Financial Code, relating to credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, and Williams—28.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1323**—An act to amend Section 14454 of the Financial Code, relating to credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Tenney, Way, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1324**—An act to add Section 15407 to the Financial Code, relating to credit unions.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Byrne Presiding**

At 2.50 p.m., Senator Paul Byrne of the Sixth District, presiding.

**Assembly Bill No. 1344**—An act to amend Section 1357 of the Financial Code, relating to investments by savings banks.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, and Way—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1907**—An act to amend Sections 71141, 71146, 71300, 72000, 72190, 72643, 72650, 72651, 72706, 72709, and 72715 of, and to add Sections 69584.5 and 69599.5 to, the Government Code, and to repeal Chapter 626 of the Statutes of 1919, Chapter 702 of the Statutes of 1931, and Chapter 263 of the Statutes of 1937, relating to the organization of courts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Tenney, Thompson, and Way—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 573**—An act to add Section 690.5 to the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Way, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 575**—An act to amend Section 1861a of the Civil Code, relating to liens of keepers of furnished apartment houses, furnished apartments, furnished cottages, or furnished bungalow courts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Collier, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Powers, Tenney, and Way—23.

NOES—None.

Bill ordered transmitted to the Assembly.

#### Senator Burns Presiding

At 3.29 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 133**—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read third time.

The roll was called.

#### CALL OF THE SENATE

Pending the announcement of the vote, Senator Brown moved that the quorum call of the Senate be applied to the final passage of Senate Bill No. 133.

The motion carried. Time, 3.40 p.m.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 776

Senator Collier moved that Senate Bill No. 776 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 776**—An act, the Strategic State Highway Act of 1953 to provide for a system of public streets and highways in this State and for the financial support thereof, including the levying of taxes therefor, and in connection therewith to amend Sections 7351 and 8651 of, to add Sections 7354, 7653, and 7654 to, and to repeal Section 9654 of, the Revenue and Taxation Code, and to amend Sections 276, 277, 370, 372, and 381 of the Vehicle Code, and to amend Sections 186 and 188.4 of the Streets and Highways Code, and to prescribe the dates upon which the provisions hereof take effect.

Bill read second time.



**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "Strategic".

**Amendment No. 2**

On page 5, lines 36 to 38, inclusive, of said bill, strike out "of existing public ways as a part of, the system of strategic state highways designated in this act", and insert "reconstruction, replacement, or improvement of, existing state highways".

**Amendment No. 3**

On page 5, line 39, of said bill, strike out "Strategic".

**Amendment No. 4**

On page 5, line 40, of said bill, strike out "of such system", and insert "reconstruction, replacement, or improvement of state highways".

**Amendment No. 5**

On page 5, line 42, of said bill, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 6**

On page 5, lines 45 and 46, of said bill, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 7**

On page 6 of said bill, between lines 2 and 3, insert "In the allocation and expenditure of such money the commission and department shall provide for the earliest possible improvement of those routes in the state highway system which in their judgment are of the greatest statewide importance, after giving consideration both to the safe and expeditious movement of traffic and the economic development of the State."

**Amendment No. 8**

On page 6 of said bill, strike out lines 3 to 8, inclusive; strike out the map following page 6; strike out pages 7 and 8; and on page 9, strike out lines 1 to 7, inclusive.

**Amendment No. 9**

On page 9, line 8, of said bill, strike out "SEC. 20", and insert "SEC. 13".

**Amendment No. 10**

On page 9, line 24, of said bill, strike out "SEC. 21", and insert "SEC. 14".

**Amendment No. 11**

On page 10 of said bill, between lines 47 and 48, insert "SEC. 15. This act shall be known and may be cited as the State Highway Act of 1953."

**Amendment No. 12**

On page 10, line 48, of said bill, strike out "SEC. 22", and insert "SEC. 16".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE  
CONSTITUTIONAL AMENDMENT NO. 11**

Senator Collier moved that Senate Constitutional Amendment No. 11 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Constitutional Amendment No. 11**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 16.7, relating to the issuance of bonds for highway purposes.

Resolution read.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed measure, as amended in Senate March 12, 1953, strike out "Strategic".

**Amendment No. 2**

On page 1, line 12, of said bill, as amended, strike out "Strategic".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1653**

Senator Hatfield moved that Senate Bill No. 1653 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1653**—An act to amend Section 10500, and to repeal Sections 10501, 10502, and 10503, of the Water Code, relating to appropriation of water.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in the Senate March 26, 1953, after "to", insert "part 2 of".

**Amendment No. 2**

On page 1, line 12, of said bill, as amended, after "water", insert "insofar as applicable thereto".

**Amendment No. 3**

On page 1 of said bill, as amended, strike out lines 16, 17 and 18, and insert "quirements of said part 2 of Division 2 relating to diligence shall not apply to applications filed under this part except as otherwise provided in Section 10504."

**Amendment No. 4**

On page 1 of said bill, as amended, strike out lines 21 through 26, inclusive, and insert

"Sec. 3. All acts and proceedings taken in connection with applications filed under Part 2 of Division 6 of the Water Code are hereby ratified, confirmed, validated and declared to be in full compliance with all requirements of that part and sufficient to establish priorities and rights thereunder. Priorities and rights as so established shall be continued and maintained under the provisions of Section 10500, as amended by Section 1 of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 722**

Senator McBride moved that Senate Bill No. 722 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 722**—An act making an appropriation to the Regents of the University of California for the planning of a rehabilitation facility as part of the School of Medicine at the University of California at Los Angeles.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the printed bill, after "serve", insert a comma, and insert "if and when built,".

**Amendment No. 2**

Strike out lines 5 to 8, inclusive, of said bill, and insert "facility of the School of Medicine at the University of California at Los Angeles and as a part of the University's Medical Center."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 309**

Senator Ed. C. Johnson moved that Senate Bill No. 309 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 309**—An act to amend Section 437 of the Education Code, relating to the salary of the superintendent of schools of a county of the thirty-seventh class.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "five thousand four hundred dollars (\$5,400) a year,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 335**

Senator Ed. C. Johnson moved that Senate Bill No. 335 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 335**—An act to amend Section 28137 of the Government Code, and Section 437 of the Education Code, relating to compensation for public services in counties of the thirty-seventh class.

Bill read second time.

**Motion to Amend**

Senator Ed. C. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "and Section 437 of the Education Code,".

**Amendment No. 2**

On page 1 of said bill, strike out line 7, and insert "four thousand eight hundred dollars (\$4,800) a year."

**Amendment No. 3**

On page 1 of said bill, strike out line 9, and insert "four thousand eight hundred dollars (\$4,800) a year."

**Amendment No. 4**

On page 1, line 11, of said bill, strike out "----- dollars (\$.-----)", and insert "two hundred and fifty dollars (\$250)".

**Amendment No. 5**

On page 2 of said bill, strike out lines 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1759**

Senator McBride moved that Senate Bill No. 1759 be withdrawn from Committee on Public Health and Safety for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1759**—An act to add Chapter 1 comprising Sections 26001 to 26094 inclusive, to Division 21 of the Health and Safety Code, relating to the adulteration and misbranding of cosmetics.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, between lines 30 and 31, of the printed bill, insert "26011. All definitions and standards promulgated pursuant to this chapter shall not in any instance require a higher standard than the standards required pursuant to the definitions currently promulgated by the Federal Security Agency, Food and Drug Administration, under the provisions of the Food, Drug and Cosmetic Act."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Motion to Take Bill From the Inactive File**

Senator Williams moved that Senate Bill No. 266 be taken from the inactive file and placed on the second reading file.

Motion carried.



**REPORTS OF STANDING COMMITTEES****Committee on Education**

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 126

Assembly Bill No. 496

Assembly Bill No. 104

Assembly Bill No. 850

Assembly Bill No. 268

Assembly Bill No. 1032

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 1228

Assembly Bill No. 849

Assembly Bill No. 2763

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 1412

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

DONNELLY, Chairman

Above reported bill ordered to second reading.

**Committee on Public Health and Safety**

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 1438

Assembly Bill No. 2278

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 757

Assembly Bill No. 367

Senate Bill No. 1770

Assembly Bill No. 970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bills ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1430

Senate Bill No. 1190

Assembly Bill No. 1842

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Assembly Bill No. 196

Assembly Bill No. 206

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Assembly Bill No. 1996

Assembly Bill No. 2003

Assembly Bill No. 1997

Assembly Bill No. 2436

Assembly Bill No. 2002

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1342

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 9; committee vote: Ayes 7; noes 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 207

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 9.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1467

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Assembly Bill No. 235

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:  
Senate Bill No. 1768

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD S. JOHNSON, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 326

Senate Bill No. 569

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 675

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 672

Senate Bill No. 673

Senate Bill No. 674

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:  
Assembly Bill No. 1159

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DESMOND, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred: Senate Bill No. 733

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1336

Senate Bill No. 1773

Senate Bill No. 1340

Senate Bill No. 1881

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH

At 3.52 p.m., on motion of Senator Brown, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 133 passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, Montgomery, O'Gara, Regan, Thompson, Way, and Williams—21.

NOES—Senators Abshire, Breed, Collier, Coombs, Desmond, Dilworth, Donnelly, Hulse, Kraft, McCarthy, Powers, and Tenney—12.

Motion to Reconsider

Senator Desmond moved to reconsider the vote whereby Senate Bill No. 133 was passed.

Postponement of Reconsideration

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 133 was passed, was continued until the next legislative day.

Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time 3.55 p.m.

PROCEEDINGS UNDER CALL OF THE SENATE

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1464**—An act to add Section 3121.5 to the Financial Code, relating to the transmittal by the Superintendent of Banks to the State Controller of signature cards and other identifying information in connection with unclaimed money or other property deposited in the State Treasury.

Bill read third time, and presented by Senator Cunningham.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1467**—An act to add Article 15, comprising Section 1578, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to unclaimed or abandoned property.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 4, of the printed bill, as amended in Senate March 31, 1953, strike out "or justice".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 126**—An act to amend Section 6413 of the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1470**—An act to add Section 1382 to the Code of Civil Procedure, relating to the sale by the State Controller of real property distributed or escheated to the State of California.

Bill read third time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Senate March 31, 1953, strike out "Notice of the lease or sale", and insert "Before such sale or lease, notice thereof".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1306**

Senator Collier moved that Senate Bill No. 1306 be withdrawn from Committee on Local Government for purpose of amendment, and referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1306**—An act to amend Sections 29040, 29067, 29070, 29071, 29073, 29074, 29080, 29091, 29171, and 43092 of the Government Code, and Sections 6301, 6302, 6304, 6305, 6306, 6334, 6352, and 6361 of the Education Code, relating to county, city, and district finance, budgets, and property taxes.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the title of the printed bill as amended in the Senate March 24, 1953, after "29067", insert "29068, 29069,".

**Amendment No. 2**

On page 7, line 32, of said bill, after "emergency," insert "This statement shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller. It shall include all emergency appropriations made during the fiscal year next preceding the year to which the budget applies."

SEC. 3. Section 29068 of said code is amended to read:

29068. A list of appropriations canceled or to be canceled shall be set forth, with the amount of each. *This list shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller. It shall include all appropriations canceled during the fiscal year next preceding the year to which the budget applies.*

SEC. 4. Section 29069 of said code is amended to read:

29069. A list showing each appropriation made from the unappropriated reserve or reserves and the amount or amounts thereof shall be set forth. *This list shall become a part of, and incorporated in, the completed budget filed with the board and the State Controller and shall include all appropriations made from the unappropriated reserve or reserves during the fiscal year next preceding the year to which the budget applies.*"

**Amendment No. 3**

On page 7, line 33, of said bill, strike out "3", and insert "5".

**Amendment No. 4**

On page 7, line 37, of said bill, strike out "4", and insert "6".

**Amendment No. 5**

On page 7, line 47, of said bill, strike out "5", and insert "7".

**Amendment No. 6**

On page 8, line 3, of said bill, strike out "6", and insert "8".

**Amendment No. 7**

On page 8, line 15, of said bill, strike out "7", and insert "9".

**Amendment No. 8**

On page 8, line 21, of said bill, strike out "8", and insert "10".

**Amendment No. 9**

On page 8, line 30, of said bill, strike out "9", and insert "11".

**Amendment No. 10**

On page 9, line 20, of said bill, strike out "10", and insert "12".

**Amendment No. 11**

On page 9, line 38, of said bill, strike out "11", and insert "13".

**Amendment No. 12**

On page 10, line 29, of said bill, strike out "12", and insert "14".

**Amendment No. 13**

On page 11, line 12, of said bill, strike out "13", and insert "15".

**Amendment No. 14**

On page 11, line 20, of said bill, strike out "14", and insert "16".

**Amendment No. 15**

On page 11, line 30, of said bill, strike out "15", and insert "17".

**Amendment No. 16**

On page 12, between lines 2 and 3, of said bill, insert

"(c) After the budget for a school district has been filed with the county auditor as prescribed in this section, he shall not permit any change to be made therein that will alter the amount of money which must be provided by a school district tax."

**Amendment No. 17**

On page 12, line 3, of said bill, strike out "16", and insert "18".

**Amendment No. 18**

On page 12, line 39, of said bill, strike out "18", and insert "19".

**Amendment No. 19**

On page 12, line 48, of said bill, strike out "19", and insert "20".

**Amendment No. 20**

On page 13, line 33, of said bill, strike out "20", and insert "21".

**Amendment No. 21**

On page 13, line 39, of said bill, strike out "21", and insert "22".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented:  
By Senator O'Gara:

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 9 and 3166 of the Civil Code, relating to business days and to the maturity and presentment of negotiable instruments.

Respectfully submitted,

SENATOR GERALD J. O'GARA

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 1, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Regan, Tenney, Thompson, Way, and Williams—32.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bill was introduced, and read the first time:

**Senate Bill No. 1949:** By Senator O'Gara—An act to amend Sections 9 and 3166 of the Civil Code, relating to business days and to the maturity and presentment of negotiable instruments.

Referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 103**

Senator Cunningham moved that Senate Bill No. 103 be withdrawn from Committee on Public Utilities for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 103**—An act to amend Sections 211, 213, 215, 726, 727, 816.5, 1061, 1062, 1063, 1065, 1066, 1068, 1073, 3501, 3511, 3512, 3513, 3514, 3515, 3517, 3541, 3571, 3572, and 3575 of the Public Utilities Code, to amend the heading of Chapter 1 of Division 2 and the heading of Article 1 of Chapter 1 of Division 2 thereof, to add Sections 1064.5 and 3516, and to add Chapter 9 to Division 2 thereof, and to repeal Sections 214, 1072, 3516, 3518 and 3546, and Article 4 of Chapter 1 of Division 2, comprising Sections 3601 to 3606, inclusive, thereof, relating to highway carriers.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 20, of the printed bill, as amended in Senate March 20, 1953, strike out "prior to the date of the application", and insert "prior to January 1, 1953".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Utilities.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 775**

Senator Collier moved that Senate Bill No. 775 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 775**—An act, the Strategic State Highway Bond Act of 1953, to authorize the issuance of state bonds to provide for a system of strategic state highways and to provide for the repayment thereof, and making an appropriation.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 12, 1953, strike out "Strategic".

**Amendment No. 2**

In line 3 of the title of said bill, as amended, strike out "strategic".

**Amendment No. 3**

On page 1, line 2, of said bill, as amended, strike out "Strategic".

**Amendment No. 4**

On page 1, line 3, of said bill, as amended, strike out "Strategic".



**Amendment No. 5**

On page 1, line 4, of said bill, as amended, after "Board", insert "of 1953".

**Amendment No. 6**

On page 1, line 14, of said bill, as amended, strike out "construction and reconstruction", and insert "construction, reconstruction, replacement, or improvement".

**Amendment No. 7**

On page 1 of said bill, as amended, strike out lines 15 to 17, inclusive, and insert "of, existing state highways, the board may".

**Amendment No. 8**

On page 3, lines 10 and 11, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 9**

On page 3, lines 46 and 47, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 10**

On page 4, lines 7 and 8, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 11**

On page 5, lines 34 and 35, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 12**

On page 5, lines 39 and 40, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 13**

On page 5, lines 48 and 49, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 14**

On page 6, line 4, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 15**

On page 6, line 12, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 16**

On page 6, lines 13 and 14, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 17**

On page 6, line 16, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 18**

On page 6, lines 18 and 19, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 19**

On page 6, line 25, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 20**

On page 7, lines 2 and 3, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 21**

On page 9, line 11, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 22**

On page 9, line 15, of said bill, as amended, strike out "Strategic".

**Amendment No. 23**

On page 9, lines 17 and 18, of said bill, as amended, strike out "Strategic State Highway Finance Board", and insert "board".

**Amendment No. 24**

On page 9, lines 20, of said bill, as amended, strike out "Strategic State Highway", and insert "State Highway Bond".

**Amendment No. 25**

On page 9, lines 24, of said bill, as amended, strike out "Strategic State Highways", and insert "State Highway Bond".

**Amendment No. 26**

On page 9, lines 30 and 31, of said bill, as amended, strike out "of existing public ways as a part of, the system of strategic", and insert ", reconstruction, replacement, or improvement of,".

**Amendment No. 27**

On page 9, line 32, of said bill, as amended, strike out "Strategic".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 54**

Senator Williams moved that Senate Bill No. 54 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 54**—An act to amend Sections 10112, 10607, 10617, 10618, and 10619 of the Health and Safety Code, relating to registration of vital statistics.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 6, 1953, strike out "10617, 10618, and 10619", and insert "and 10617".

**Amendment No. 2**

On page 1 of said bill, strike out lines 6 to 12, inclusive, and insert "the local registrar of the district within which the event occurred and to the county recorder of the county within which the event occurred. If the event occurred outside the State, a copy of the certificate shall be sent by the State Registrar to the local registrar of the district, and to the county recorder of the county, in which the petitioner resides. Provided, however, the State Registrar shall send only copies of records of events which occurred during the last five years, to those local registrars who have disposed of the local registrar's copies of the records which have been registered over five years, pursuant to Section 10118 of this code, and provided, further, that copies of certificates for events which occurred in a city and county or in cities of over 1,000,000 population, shall be sent to the local registrar only, and provided, further, that copies of certificates of marriage shall be sent to the county recorder only."

**Amendment No. 3**

On page 1 of said bill, between lines 19 and 20, insert "to the local registrar of the district and".

**Amendment No. 4**

On page 1, line 24, of said bill, strike out "He shall", and insert "The State Registrar shall send only copies of birth certificates for births occurring during the last five years to those local registrars who have disposed of the local registrar's copies of the records which have been registered over five years, pursuant to Section 10118 of this code. He shall".

**Amendment No. 5**

On page 2 of said bill, strike out lines 1 to 11, inclusive.

**Amendment No. 6**

On page 2, line 12, of said bill, strike out "SEC. 5.", and insert "SEC. 3."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**RESOLUTIONS**

The following resolutions were offered :

By Senator Desmond :

**Senate Resolution No. 95**

Relative to requesting the Department of Motor Vehicles to make an investigation concerning the feasibility, advantages and methods of reflectorizing license plates

WHEREAS, The Sacramento Junior Chamber of Commerce, as well as other junior chambers throughout California and in the Nation, have recognized the importance of reducing the terrible toll in life and property that traffic accidents are taking on our streets and highways; and

WHEREAS, These Junior Chambers have taken the lead in placing reflectorized tape strips on the rear bumpers of automobiles, as well as bicycles, in an effort to aid in the reduction of night traffic accidents; and

WHEREAS, Records show that this program has had a very definite effect in reducing night accidents, particularly the serious rear-end crashes; and

WHEREAS, The public has proven it wants this protection afforded by rear-end reflectorization, as evidenced by the tens of thousands of motorists who voluntarily purchased the reflectorized strips; and

WHEREAS, This protection and vital night-time safety measure could be provided all motorists in California and thus aid materially in the saving of lives and property if a reflectorizing material were placed on automobile license plates by the State of California; and

WHEREAS, It is reported that other states are now reflectorizing their license plates with a resultant reduction of night accidents, and particularly in the rear-end collision type, and more states are now considering such reflectorized license plates; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Department of Motor Vehicles is hereby requested to investigate the feasibility, advantages and methods of reflectorizing license plates for all vehicles registered in this State as a measure to help reduce California's soaring night-time accident rate; and be it further

*Resolved,* That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of the Department of Motor Vehicles.

Resolution read, and referred to Committee on Rules.

By Senator Dorsey :

**Senate Resolution No. 96**

Relative to the creation of the Senate Interim Committee on Wild Burro Sanctuaries

*Resolved by the Senate of the State of California,* as follows :

1. The Senate Interim Committee on Wild Burro Sanctuaries is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the need and feasibility for creating game sanctuaries for undomesticated burros, the means available for doing so, the possibility of using federal and state lands for such sanctuaries, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of

the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

- (a) To select a chairman and a vice-chairman from its membership.
- (b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.
- (c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.
- (d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.
- (e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 10**—Relative to vesicular exanthema in swine and memorializing the Congress of the United States in relation thereto;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of April, 1953, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 104**—An act to amend Sections 13140 and 13144 of the Government Code, relating to refunds;

**Senate Bill No. 124**—An act to amend Section 13661 of the Government Code, relating to distribution of state publications;

**Senate Bill No. 231**—An act to amend Section 2046 of the Penal Code, relating to the state correctional system;

**Senate Bill No. 277**—An act to amend Section 13943.5 of the Government Code, relating to the collection of taxes, licenses, fees or other money;

**Senate Bill No. 279**—An act to transfer funds to the San Francisco Harbor Improvement Fund;

**Senate Bill No. 282**—An act to amend Chapter 145 of the Statutes of the 1946 (First Extraordinary) Session, relating to a program of construction, improvement and equipment for state agencies, by repealing Section 8 thereof which authorizes the expenditure of certain funds for administration of the act, and to provide for the disposition of the unexpended portion of such funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1953, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 288**—An act to amend Section 18859 of the Government Code, relating to compensation of civil service employees;

**Senate Bill No. 498**—An act to amend Section 404 of the Fish and Game Code, relating to licenses;

**Senate Bill No. 541**—An act to amend Section 1159 of the Fish and Game Code, relating to cooperative hunting areas;

**Senate Bill No. 797**—An act to amend Section 1204 of the Fish and Game Code, relating to the issuance of licenses to feed migratory game birds;



**Senate Bill No. 798**—An act to add Section 34.5 to the Fish and Game Code, relating to predatory birds and mammals;

**Senate Bill No. 933**—An act to amend Section 16361 of the Government Code, relating to disposition of moneys received by state agencies;

**Senate Bill No. 1800**—An act to add Section 190 to the Military and Veterans Code, relating to armories, declaring the urgency thereof, to take effect immediately; And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1953, at 4 p.m.

POWERS, Chairman

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.14 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**ADJOURNMENT**

At 4.15 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Thursday, April 2, 1953.

JOHN F. LEA, Minute Clerk

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CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

FIFTY-FIRST CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 2, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Ward, on motion of Senator Powers, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to San Gendel and sons, Eddie and Arnold, of Beverly Hills.

On request of Senator Regan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Al Cibula and William L. Chapman of Redding.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lloyd Salters of Agnew.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the L. D. S. Church Mutual Improvement Association, including Explorer Post No. 2077: Ross Thomas, Robert Tustison, Marie Thomas, Norman Smith, Lynn Campbell, Marcus Johnston, George Johnston, Charles Schelly, Lee Roy Campbell, Bill Baxter, Paul Layher, Mrs. Grace Scott, Rosie Cook, and Lenore Scott.

On request of Senator Erhart, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. C. Livingston of Paso Robles.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harold Florini of Turlock; Martin Anderson of Turlock; William Ahlem of Hilmar; and Jack Johnson of San Francisco.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Linda Dold, niece of Senator Hulse, of El Centro.

On request of Senator Desmond and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following Den Mothers and members of the Hagginwood Cub Scouts: *Den 2*—Mrs. Henrietta Borge, Richard Flage, Ronnie Borge, Gene Borge, Larry Tackett, Charley Berger, Kenneth Green, James Annis, and Gregg Compton; *Den 3*—Ronald Brown and Stephen Davis; *Den 4*—Mrs. Reginald Tipper, Ronald Tipper, Jimmy Compton, Danny Bell, David Lowery, Michael Scott, and Roger Scott; *Den 5*—Mrs. Ethel Ammon, Douglas Hunting, Mikie Ammon, Leslie Wolff, Stephen Lambert, and John Shady; *Den 6*—Mrs. Anne Murphy, Richard Murphy, Edward Lehman, Butch Houk, and Corky Houk; Mr. Perley Annis, cubmaster, Mrs. Doris Wolff, Mrs. Agnes Lowrey, and Mr. and Mrs. Al Flage.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Roy Denley, Superintendent of Schools, and Mrs. Denley of Santa Paula and their family, Caroline Ray and Terry; Mrs. Alice Queen and daughters, Alice and Linda, of Sacramento.

On request of Senators Burns and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary S. Richards and Mrs. Nellie Hale of Sacramento.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Doris Rundell and Miss Darline Winders of South Gate; Sonel Thompson of Alhambra; Larry Walden of Susanville; and Rev. Roy B. McKeown of Los Angeles.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following teachers and students of the Sunol School: Patty Adkins, Leonard



Ataide, Elena Burton, Richard Carrillo, Joanne Cerone, Walter de Guerre, Marlene Di Denti, Bob Fenner, Kermit Fenner, Vicky Galati, Jo Ann Giacomo, Gidd Hamptonson, Ralph Herrera, Barbara Jeffery, Don Johnson, Edward King, Bobby Lew Lister, Ronnie Lyall, Sharon Lewis, Jimmy Maez, Niky Malovoz, June Monahan, Jean Newell, John Ortega, Arthur Pacheco, Eugene Pantiga, Janet Porria, Gerald Proost, Jesse Ramos, Dan Reed, Jerry Reed, Stephen Resz, Arthur Roberts, Esther Rodriguez, Patsy Selfridge, Don Smith, Jerry Smith, Kathy Staples, Joe Tarantino, Josephine Tarantino, Dan Theobald, Ronnie Tomasello, Kay Villalobos, Kenneth Watrous, Barbara Woods, Lelicia Villalobos, Paula Canciamilla, C. W. Kast, District Superintendent, and Mrs. Kast, Mrs. Mildred Fenner, teacher, and Joseph Cerone.

On request of Senators Desmond and Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Marlene Conklin of Fresno and Miss Loren MacArthur of Sacramento, International Representatives of the Girl Scouts.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following leaders and members of Brownie Scout Troop No. 219 and Cub Scouts Pack No. 3109, Den 9, of Sacramento: *Brownie Scout Troop No. 219*—Mrs. Bernard Wasserman, Leader; Mrs. William Dolinar, Assistant Leader, and the following Brownie Scouts: Diane Wasserman, Carole Hancock, Carole Ann Van Hulten, Paddy Leddy, Katherine McKinzey, Janifer Holsell, Carole Anton, Janis Wasserman, and Mary Lou Dolinar; *Cub Scouts Pack 3109, Den 9*—Mrs. James Rivett, Den Mother; Mrs. John Reilly, Assistant, and the following scouts: Michael Gates, Wayne Borlang, Dennis Stephani, Aaron O'Rullion, Ronald Ertl, George Virga, and Greg Reilly.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert Harris of Los Angeles.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Arthur Breed and her daughter, Bonnie, Oakland; Mrs. Eugene Conser of Los Angeles; and Mrs. Edward Mulligan of San Francisco.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Craig Grainger, Jean Grainger, James Grainger, all of Anaheim.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to his daughter, Susan Collier, of Yreka.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Louise Hoover of Fresno.

On request of Senator Dounelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to L. D. DeForest of Modesto.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION  
SACRAMENTO 14, April 1, 1953

*Mr. Joseph A. Beek,  
Secretary of State Senate  
Senate Chambers, State Capitol  
Sacramento 14, California*

DEAR MR. BEEK: I am this day forwarding to the State Treasurer a check in the sum of \$40,000 to be placed to the credit of the Legislative Printing Fund, representing proceeds from the sale of legislative publications and service by the Legislative Bill Room from February 1, 1952, to February 28, 1953.

Very truly yours,

PAUL E. GALLAGHER, State Printer

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 52

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 52**—Approving a certain amendment to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of March, 1953.

## Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 52, at this time, for consideration.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 52

**Assembly Concurrent Resolution No. 52**—Approving a certain amendment to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of March, 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Dilworth, Gibson, Gruinsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, and Thompson—21.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1279

Senate Bill No. 1282

Senate Bill No. 1284

Senate Bill No. 1285

Senate Bill No. 1448

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1067

Senate Bill No. 1619

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 156

Senate Bill No. 878

Senate Bill No. 1581

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 191—An act to amend Section 17050 of the Government Code, relating to revolving funds;

Senate Bill No. 344—An act to amend Section 397 of the Penal Code, relating to the selling or furnishing of intoxicating liquors;

Senate Bill No. 503—An act to amend Section 1342 of the Fish and Game Code, relating to mammals;

Senate Bill No. 594—An act to amend Section 2073 of, and to add Section 2074.6 to, the Insurance Code, relating to the standard form fire insurance policy;

Senate Bill No. 597—An act to amend Section 16403 of the Government Code, relating to revolving funds;

Senate Bill No. 703—An act authorizing the Director of Finance to quitclaim the interest of the State of California in and to a pipeline and easement in Napa County;

Senate Bill No. 747—An act to amend Section 14025 of, and to add Section 14030 to, the Health and Safety Code, relating to fire protection districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 821—An act to amend Section 16475 of the Government Code, relating to interest earned on the Capital Surplus Money Investment Fund;

Senate Bill No. 825—An act to amend Sections 502, 502.1, 502.2, 503, 504, 506, 509, 512, 513, 515 and 520.1 of the Military and Veterans Code, relating to the California Cadet Corps;

Senate Bill No. 1218—An act to amend Section 2780.1 of the Penal Code, relating to the prison work camps;

Senate Bill No. 1350—An act to amend Section 16304 of the Government Code, relating to the reversion of appropriations;

Senate Bill No. 1650—An act to amend Sections 5, 12, 27, and 72 of, and to add Sections 27.5 and 27.6 to, the Drainage District Act of 1903, relating to the organization and government of drainage districts, validating districts organized pursuant to said act, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 823—An act to amend Sections 16, 215, 225, 228, 232, 236, 238, 256, 269, 431, and 644 of, and to add Section 326 to, the Military and Veterans Code, relating to the military forces of the State, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of April, 1953, at 10 a.m.

POWERS, Chairman

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 941

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 691

Senate Bill No. 782

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 224

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Tenney moved that Assembly Bill No. 13 be taken from the inactive file and placed on the second reading file.

Motion carried.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 757 and Assembly Bill No. 268 carry an appropriation.



The President ordered Senate Bill No. 757 and Assembly Bill No. 268 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 1477**—An act to add Chapter 4 to Part 2, Division 2, Title 2 of the Government Code, to amend Section 9143, and to repeal Sections 13293, 13294, 13295, 13296, 13297, 13298, and 13299 of said code, relating to state fiscal affairs, creating the Legislative Audit Bureau, and the Joint Legislative Post Audit Committee, prescribing the duties thereof, and providing for the transfer of funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "Section 9143," and insert "Sections 9143, 11270, 13293, and 13295 of said code,".

**Amendment No. 2**

In line 3 of the title of said bill, strike out "13293, 13294, 13295," and insert "13294,".

**Amendment No. 3**

In line 4 of the title of said bill, after "code," insert "and to amend Section 19621 of the Business and Professions Code,".

**Amendment No. 4**

On page 1, line 9, of said bill, after "determine the", insert "general".

**Amendment No. 5**

On page 1, line 10, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 6**

On page 2, line 18, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 7**

On page 2, line 19, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 8**

On page 2, line 25, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 9**

On page 2, line 28, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 10**

On page 2, line 31, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 11**

On page 2, line 42, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 12**

On page 2, line 46, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 13**

On page 3, line 1, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 14**

On page 3, line 7, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 15**

On page 3, line 13, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 16**

On page 3, line 16, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 17**

On page 3, line 21, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 18**

On page 3 of said bill, between lines 22 and 23, insert

"(d) Any record, document, or information, the disclosure of which is restricted by law or public policy."

**Amendment No. 19**

On page 3 of said bill, strike out lines 23 to 27, inclusive, and insert

"10526. It shall be a misdemeanor for the State Auditor or any employee of the Bureau to divulge or make known in any manner not permitted by law, any particulars of any record, document, or information the disclosure of which is restricted by law."

**Amendment No. 20**

On page 3, line 28, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 21**

On page 3, line 35, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 22**

On page 3, line 39, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 23**

On page 3, line 41, of said bill, strike out the period, and insert "in accordance with generally accepted auditing standards but not less than once every two years."

**Amendment No. 24**

On page 3, line 47, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 25**

On page 4, line 1, of said bill, strike out "Legislative", and insert "State".

**Amendment No. 26**

On page 4, line 6, of said bill, strike out "Legislative", and insert "State".

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PRINTER'S NOTE: There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 27**

On page 4 of said bill, strike out line 21, and insert

"SEC. 3. Section 11270 of said code is amended to read:

11270. As used in this article, "administrative costs" means the amounts expended by the *Legislative Audit Bureau*, Controller, Treasurer, the State Personnel Board, the State Employees' Retirement System, and the State Department of Finance for supervision or administration of the State Government or for services to the various state agencies, other than those for which the Department of Finance may charge and collect pursuant to Article 3.

SEC. 4. Section 13293 of said code is amended to read:

13293. The department may examine all records, files, documents, accounts and all financial affairs of every agency mentioned in Section 13290. It may enter any public office or institution in this State and examine any records, files, books, papers or documents contained therein or belonging thereto for the purpose of making such examination [ , and shall have access, in the presence of the custodian or his deputy, to the cash drawers and cash in the custody of such agency].

[During business hours the department may examine the public accounts in any depository which has public funds in its custody.]

SEC. 5. Section 13295 of said code is amended to read:

13295. Every state agency shall permit such examination [and experting] and upon demand shall produce without unnecessary delay all books, contracts, and papers in its offices, and furnish information touching books, papers, contracts, and other matters pertaining to the agency.

SEC. 6. Sections 13294, 13296, 13297, 13298,"

**Amendment No. 28**

On page 4 of said bill, between lines 22 and 23, insert

"SEC. 7. Section 19621 of the Business and Professions Code is amended to read: 19621. Out of the fund the Legislature shall annually appropriate such sums as it deems necessary for the following:

(a) For support of the board, including such cost and expense incurred by the Attorney General in the enforcement of this act as shall be authorized by the board.

(b) To the Department of Finance for supervision of and to the *Legislative Audit Bureau* for auditing of, all fairs, citrus fruit fairs, and agricultural associations receiving money from the fund."

**Amendment No. 29**

On page 4, line 23, of said bill, strike out "SEC. 4.", and insert

"SEC. 8."

**Amendment No. 30**

On page 4, line 36, of said bill, strike out "SEC. 5.", and insert

"SEC. 9."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 1884**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Contra Costa County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such lands.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 126**—An act to amend Section 13031.1 of the Education Code, relating to employment of persons requiring certification.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1228**—An act to add Section 20342.1 to the Education Code, relating to accreditation of teacher education institutions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 1, lines 16, 17, and 18 of the printed bill, as amended in the Senate February 25, 1953, strike out "for each college accredited by or belonging to each such associations or organizations".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1438**—An act to amend Sections 29001, 29013, 29014, 29015.1 and 29022 of the Health and Safety Code, relating to dangerous drugs.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1770**—An act to repeal Chapter 1, comprising Sections 1200 to 1251, inclusive, of Division 2 of the Health and Safety Code and to add Chapter 1 comprising, Sections 1200 to 1237, inclusive, to Division 2 of said code, relating to the regulation and licensing of clinics and dispensaries.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1774**—An act to amend Sections 7050 and 7056, and to repeal Sections 7040, 7046, 7051, 7052, 7053 and 7054 of the Health and Safety Code, relating to local bodies.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1430**—An act to add Sections 29170, 29171, and 29172 to the Government Code, relating to the assignment of delinquent county taxes and accounts to licensed collection agencies for the purpose of collection.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1160**—An act to amend Section 10310 of the Government Code, relating to the powers of boards of supervisors.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1642**—An act to repeal Article 4, comprising Sections 401 to 414 inclusive, of Chapter 2, Division 1 of, and to add Article 4, comprising Sections 401 to 414 inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 16, inclusive.

##### Amendment No. 2

On page 2, line 27, in said bill, strike out "and" and insert "and."

Amendments read, and adopted.

Bill as amended printed, and transmitted to Committee on Finance.

**Senate Bill No. 1467**—An act to amend Section 8121 1/2 of, and to add Chapter 14 to Part 1 of Division 7 of the Streets and Highways Code, relating to separation of grade divisions.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

##### Amendment No. 1

On page 1 of the printed bill, as amended by Senate Bill No. 1050, strike out lines 10 and 11, and insert "except" therein and add "which is duly authorized or which is being used for purposes of getting or the care of the street."

Amendment read, and adopted.

Bill as amended printed, engrossed, and to third reading.

**Senate Bill No. 326**—An act to amend Sections 8 and 9 of the River-side Flood Control and Water Conservation District Act (Chapter 1122 of the Statutes of 1921), relating to the powers and duties of the River-side County Flood Control and Water Conservation District.

Bill read second time.



**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 16, of the printed bill, as amended in Senate March 11, 1953, after "property", insert "to public agencies".

**Amendment No. 2**

On page 2, line 17, of said bill, as amended, after "therein", insert "to public agencies".

**Amendment No. 3**

On page 5, line 27, of said bill, as amended, after "(\$5,000)", insert "annually".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 569**—An act to add Sections 31031 and 31032 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate, March 11, 1953, after "districts", insert "and to the Coachella Valley County Water District".

**Amendment No. 2**

On page 1 of said bill, as amended, strike out lines 3 to 6, inclusive; and in line 7, strike out "this division, shall", and insert "31031. The Coachella Valley County Water District may".

**Amendment No. 3**

On page 2 of said bill, as amended, strike out lines 13 to 16, inclusive, and insert "The inhabitants of the Coachella Valley County Water District, and those in certain other parts of that region of the State, are in dire need of obtaining an adequate supply of water for agricultural irrigation purposes. This region is unique in that it is able to supply itself with but a small part of the water which it uses, and the only source of water available to that area is the Colorado River through expensive diversions and transmis-".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 675**—An act to amend Sections 10176, 10177, 10177.5, and 10177.6 of, and to add Section 10101 to, the Business and Professions Code, relating to procedure for revoking, suspending or denying a real estate license.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 672**—An act to amend Section 11010 and 11015 of the Business and Professions Code, relating to subdivided lands.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 673**—An act to amend Sections 10561, 10562, 10562.5, and 10562.6 of the Business and Professions Code, relating to mineral, gas, and oil licensees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 674**—An act to amend Sections 10301, 10302, 10302.5, and 10302.6 of the Business and Professions Code, relating to real estate regulations.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 733**—An act to add Sections 5210, 5211, 5291, 5292, and 5293 to the Business and Professions Code, relating to regulation of outdoor advertising.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 2 of the printed bill, as amended in Senate March 6, 1953, strike out lines 18 through 20, and insert "The prohibition provided in subdivision (a) shall not apply to advertising displays placed on property adjacent to the sections of a freeway which have not been landscaped and which property lies beyond the limits of the section or sections actually landscaped."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1336**—An act to add Section 2556(a) to the Business and Professions Code, relating to dispensing opticians.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "Any person who holds himself out as a "dispensing optician" or "registered dispensing optician"".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1340**—An act to amend Sections 7625, 7626, 7628, 7649, 7668, 7686.5 and 7725 of the Business and Professions Code, relating to the licensing of funeral establishments, the licensing of funeral directors and embalmers and the registering of apprentice embalmers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

In line 1 of the title of the printed bill, after "7649", insert "7666,".

##### Amendment No. 2

In line 2 of the title of said bill, strike out "and 7725 of", and insert "7725 and 7726 of, and to add Sections 7626.5 and 7647.5 to,".

##### Amendment No. 3

On page 1, line 19, of said bill, after "chapter", insert "and that the applicant is qualified in all other respects as required by this chapter".

**Amendment No. 4**

On page 1 of said bill, after line 25, insert

"SEC. 3. Section 7626.5 is added to said code, to read:

7626.5. Where a hearing is held to determine whether an application for a license should be granted, the proceeding shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all of the powers granted therein."

**Amendment No. 5**

On page 2, line 7, of said bill, strike out "SEC. 3.", and insert

"SEC. 4."

**Amendment No. 6**

On page 2 of said bill, between lines 21 and 22, insert

"SEC. 5. Section 7647.5 is added to said code, to read:

7647.5. Where a hearing is held to determine whether an application for a license should be granted, the proceeding shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all of the powers granted therein."

**Amendment No. 7**

On page 2, line 22, of said bill, strike out "SEC. 4.", and insert

"SEC. 6."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

**Amendment No. 8**

On page 2 of said bill, between lines 29 and 30, insert

"SEC. 7. Section 7666 of said code is amended to read:

7666. Term of Apprenticeship: (a) Shall be two years except as provided in Section 7643 of this code; provided, however, that if an apprentice after having served his apprenticeship fails to pass the examination for an embalmer's license he may register for one additional term of apprenticeship, which shall be the maximum apprenticeship permitted.

(b) May be served before, after, or divided by the embalming college course at the option of the apprentice; provided, however, that the term of apprenticeship must be completed within five (5) years after an applicant for embalmer's license shall have successfully passed the examination required in Section 7646 of this code [.] ; and provided further, that if the term of apprenticeship is not completed within the five (5) year period, the board may require that the applicant serve such additional term of apprenticeship, not to exceed two (2) years, and pass such additional examination on the subjects listed in Section 7646 of this code as the board considers necessary.

(c) A student attending an embalming college may register as an apprentice during his college term but shall receive no credit for such apprenticeship on the term required by this code.

(d) An apprentice while serving his required term of apprenticeship shall be a full-time employee in the funeral establishment wherein he is employed."

**Amendment No. 9**

On page 2, line 30, of said bill, strike out "SEC. 5.", and insert

"SEC. 8".

**Amendment No. 10**

On page 3, line 1, of said bill, strike out "SEC. 6.", and insert

"SEC. 9."

**Amendment No. 11**

On page 3, line 6, of said bill, strike out "SEC. 7.", and insert

"SEC. 10."

**Amendment No. 12**

On page 3, line 12, of said bill, strike out "thirty-first", and insert "tenth".

**Amendment No. 13**

On page 3, between lines 26 and 27, insert

"If the license or certificate is not renewed on or before June 30th following its expiration, the board may require as a condition of renewal that the delinquent licensee pass an examination on the appropriate subjects prescribed by this chapter."

**Amendment No. 14**

On page 3, line 27, of said bill, strike out "fee", and insert "fees".

**Amendment No. 15**

On page 3 of said bill, after line 28, insert

"SEC. 11. Section 7726 of said code is amended to read:

7726. When a funeral director or embalmer has had his or its license suspended, canceled, or revoked by the board, [or has allowed the same to lapse for nonpayment of fees,] the board, upon written application by the licensee affected, upon not less than 10 days' notice to all parties of record in the particular case and after hearing all evidence offered in support of and in opposition to such application, may, in its discretion, and upon such terms as it may deem just reinstate the applicant, provided the application, in case of lapse, is accompanied by all fees and penalties, the total of which fees and penalties shall not exceed twenty-five dollars (\$25), from the time of the lapse to the date of reinstatement. *On or before December 10th of each year the board shall mail to each licensee and each registrant, addressed to him at his last known address, a notice advising him of the provisions of Section 7725."*

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1773**—An act to add Section 7718.1 to, and to amend Section 9683 of the Business and Professions Code, relating to improper control of funeral arrangements and publication of false statements regarding funeral directors, cemetery arrangements, or cemetery brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

Strike out line 1 of the title of the printed bill, and insert "An act to add Sections 7692.5 and 7718.1 to, and to amend Section 7707 of".

**Amendment No. 2**

On page 1, lines 4 and 5, of said bill, strike out "to influence or control the selection of a funeral director or embalmer, or".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 of said bill, strike out lines 8 to 27, inclusive, and insert

"SEC. 2. Section 7692.5 is added to said code, to read:

7692.5. Any false or misleading statement or misrepresentation of any law, ordinance, rule or regulation, made by a licensee to a member of a family or representative of a family of a deceased person pertaining to the duties of a coroner, embalmer, funeral director or cemetery authority regarding the preparation for burial, transportation for burial, or burial of the dead, constitutes a ground for disciplinary action.

SEC. 3. Section 7707 of said code is amended to read:

7707. Gross negligence [or], gross incompetency or unethical conduct in the practice of funeral directing or embalming constitutes a ground for disciplinary action."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.



**Senate Bill No. 1881**—An act to amend Section 9530 of, and to add Section 9541.2 to, the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, lines 7 and 8 of the printed bill, strike out "retail or wholesale", and insert "three petroleum".

**Amendment No. 2**

On page 1, line 8, of said bill, strike out "retail".

**Amendment No. 3**

On page 1 of said bill, between lines 19 and 20, insert "SEC. 2. The provisions of Section 1 of this bill shall be effective on January 15, 1954, and not before."

**Amendment No. 4**

On page 1, line 20, of said bill, strike out "SEC. 3.", and insert "SEC. 4."

**Amendment No. 5**

On page 2 of said bill, between lines 2 and 3, insert "This section shall not apply to any licensee, who on the effective date of this section is operating plants or shops under more than one fictitious trade name, provided that all such fictitious trade names are registered and recorded in the office of the county clerk in the county in which the main plant or shop is located, and that after the effective date of this section, the purchaser of any such plant or shop having a fictitious trade name may continue to operate the plant or shop under the same fictitious trade name."

Any licensee operating branch stores or shops under a fictitious trade name outside of the county in which the main plant or office is located and in which the said fictitious trade name is registered and recorded in the office of the county clerk shall have in each such branch store or shop a sign in letters not less than one inch large in plain view of all customers showing the following information:

- (a) Firm name.
- (b) Complete address.
- (c) City or town.
- (d) State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, strike out "1273 of the Statutes of 1951", and insert "973 of the Statutes of 1949".

**Amendment No. 2**

In lines 1 and 2 of said bill, strike out "1273 of the Statutes of 1951", and insert "973 of the Statutes of 1949".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2821**—An act to amend Section 6a of the Alcoholic Beverage Control Act (Chapter 330, Statutes of 1935), and to amend Section 24440 of the Business and Professions Code, relating to the sale of beer to instrumentalities of the armed forces of the United States, to take effect immediately.

Bill read second time.

## Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Assembly March 13, 1953, strike out all of lines 16 to 21, inclusive.

**Amendment No. 2**

On page 2 of said bill, as amended, strike out all of lines 1 and 2, and insert "Sec. 6a. No tax shall be imposed upon the sale of beer by licensed beer manufacturers or beer wholesalers to the following-listed instrumentalities of the armed forces of the United States organized under army, air force, or navy regulations and located upon territory within the geographical boundaries of the State:

(a) Army, air force, and navy exchanges.

(b) Officers', noncommissioned officers', and enlisted men's clubs or messes.

If any manufacturer or wholesaler has paid".

**Amendment No. 3**

On page 2 of said bill, as amended, strike out all of lines 10 to 16, inclusive.

**Amendment No. 4**

On page 2, line 17, of the printed bill, as amended, strike out "saler", and insert "24440. No tax shall be imposed upon the sale of beer by licensed beer manufacturers or beer wholesalers to the following-listed instrumentalities of the armed forces of the United States organized under army, air force, or navy regulations and located upon territory within the geographical boundaries of the State:

(a) Army, air force, and navy exchanges.

(b) Officers', noncommissioned officers', and enlisted men's clubs or messes.

If any manufacturer or wholesaler".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 310**—An act to amend Section 20393 of the Government Code, relating to contributions to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1146**—An act to amend Section 19540 of the Government Code, relating to the state civil service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 104**—An act to amend Sections 14720.1 and 14720.2 of the Education Code, relating to school district retirement salary plans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 496**—An act to add Section 13831.1 to the Education Code, relating to salaries of persons employed by a school district in positions requiring certification qualifications.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 850**—An act to amend Section 14722 of the Education Code, relating to school district retirement salary plans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1032**—An act to add Section 16145 to the Education Code, relating to student organizations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 849**—An act to amend Sections 18051, 18053, and 18057 of the Education Code, relating to school district contracts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out, ", 18053, and 18057", and insert "and 18053".

##### Amendment No. 2

On page 2, strike out lines 1 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2763**—An act to add Section 14344 to the Education Code, relating to deductions from retirement salaries.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly March 6, 1953, strike out "14344", and insert "14740.1".

##### Amendment No. 2

In line 2 of the title of said bill, as amended, after "from", insert "school district".

##### Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "14344", and insert "14740.1".

##### Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 and 4, and insert "14740.1. The district retirement".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1412**—An act to add Section 14137.5 to the Education Code, relating to school district merit systems.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

##### Amendment No. 2

In line 1 of the title of said bill, after "14137.5", insert "and 14122.3".

**Amendment No. 3**

On page 1, line 19, of said bill, after "commission", insert "may employ by contract or as professional experts or otherwise any such hearing officers or other representatives and".

**Amendment No. 4**

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 14122.3 is added to the Education Code, to read:

14122.3. The appointing power may, to prevent the stoppage of public business when an actual emergency arises and persons on eligibility lists are not immediately available, make appointments for a period not to exceed five working days, in accordance with commission rule."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2278**—An act to amend Sections 28111, 28116, 28120, 28130, 28133, 28140, 28142, 28150, and to repeal Sections 28115 and 28148 of the Health and Safety Code, relating to cold storage.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 367**—An act to add Section 10038 to the Health and Safety Code, relating to vital statistics.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 970**—An act to add Section 21200.5 to the Corporations Code, relating to the powers of unincorporated nonprofit medical associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1842**—An act to add Section 9.5 to the Metropolitan Water District Act, relating to metropolitan water districts and annexations thereto of corporate areas of municipalities as defined in paragraph (a) of Section 9 of said Metropolitan Water District Act, and exclusions of territory from such municipalities resulting from annexations of such territory therein to certain types of cities within metropolitan water districts, declaring severability of the provisions of this act, declaring the urgency thereof, to take immediate effect.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 196**—An act to add Section 25372 to the Government Code, relating to the leases of property by cities, counties, and state or other public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 206**—An act to amend Section 422 of the Education Code, relating to the compensation of county superintendents of schools of counties of the twenty-second class.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1996**—An act to amend Section 6915 of the Health and Safety Code, relating to sanitary districts.

Bill read second time.



**Motion to Amend**

Senator Weybret moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, between lines 27 and 28, insert

"(f) Either the city or the district may request the other to agree upon the terms and conditions upon which said territory shall be withdrawn and excluded from said district. If the city and the district are unable to agree on such terms and conditions within three months thereafter, the city or district, whichever has requested such agreement, may bring an action in the superior court of the county in which said territory proposed to be excluded is situated against the other political corporation to have such terms and conditions determined. In such action, the superior court shall determine and adjudicate the terms and conditions upon which said territory shall be withdrawn and excluded from said district, and upon the making of the final judgment in such action, said territory shall be ordered excluded from said sanitary district upon the terms and conditions of said judgment, and said order shall be final."

**Amendment No. 2**

On page 2, line 28, strike out "(f)", and insert "(g)".

**Amendment No. 3**

On page 2, line 36, strike out "(g)", and insert "(h)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Assembly Bill No. 1997**—An act to repeal Section 5565 of the Health and Safety Code, relating to powers and duties of county sewerage and water districts, in respect to work specifications.

Bill read second time, ordered engrossed, and to third reading.

**Assembly Bill No. 2002**—An act to amend Section 37500 of the Government Code, relating to the government of cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2003**—An act to amend Section 31645 of the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2436**—An act to amend Section 413 of the Education Code, relating to the compensation of the county superintendent of schools. •

Bill read second time, and ordered to third reading.

**Assembly Bill No. 207**—An act to amend Section 4733 of the Health and Safety Code, relating to the compensation of the governing bodies of sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"4733. The district board shall have power to fix the amount of compensation per meeting to be paid each member of the board for his services for each meeting attended

to have provided that such compensation shall not exceed (then 6 dollars (\$100) today) for each meeting of the district board attended by him, not to exceed fifty dollars (\$50) in any one month, together with expenses necessarily incurred by him in traveling between his place of residence and the place of meeting. [However, no member shall receive compensation for attending more than three meetings of the board during any calendar month.] This compensation herein mentioned shall be in addition to any compensation received by him for the other Board positions mentioned in Section 4740 that are occupied by members of said district board."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 235**—An act to amend Sections 28127 and 70045 of the Government Code and Section 417 of the Education Code and Section 2611 of the Code of Civil Procedure, relating to compensation for public service.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

##### Amendment No. 1

In line 1 of the title of the printed bill, as introduced in Assembly March 18, 1953, strike out "Sections 28127 and 70045", and insert "Section 28127".

##### Amendment No. 2

In lines 1 and 2 of the title of said bill, as introduced, strike out "and Section 2611 of the Code of Civil Procedure".

##### Amendment No. 3

On page 2 of said bill, as introduced, strike out lines 48 to 52 inclusive, and strike out all of pages 3 and 4.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1159**—An act to amend Section 18791 of the Business and Professions Code, relating to boxing contests, and sparring or wrestling matches.

Bill read second time, and ordered to third reading.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 2.25 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### MOTIONS TO RECONSIDER

**Senate Bill No. 133**—An act to amend Sections 103, 196, and 391 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

#### Motion to Reconsider Continued

Senator Ingersoll's motion to reconsider the vote whereby Senate Bill No. 133 was passed was continued until the next legislative day, pursuant to Rule 43 of the Standing Rules of the Senate.

## UNFINISHED BUSINESS

## Consideration of Assembly Amendments

**Senate Bill No. 94**—An act to add Section 16330 to the Business and Professions Code, relating to the licensing of itinerant merchants.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 94?

**Amendment No. 1**

On page 1 of the printed bill, line 4, after "who", insert "have contracted to".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 94 by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy Miller, Montgomery, Murdy, Powers, Regan, Sutton, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Above bill ordered enrolled.

## Consideration of Assembly Amendments

**Senate Bill No. 280**—An act to repeal Section 9 of the Construction and Employment Act (Chapter 20 of the Statutes of the First Extraordinary Session of 1946) and Section 2103.1 of the Streets and Highways Code, relating to money made available for the support of the Controller, Director of Finance, and Department of Finance.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 280?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate March 6, 1953, strike out "1945", and insert "1946".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 280 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, and Thompson—24.

**NOES**—None.

Above bill ordered enrolled.

Chief Assistant Secretary Cleve V. Taylor at the Desk

## Consideration of Assembly Amendments

**Senate Bill No. 700**—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 700?

**Amendment No. 1**

On page 1, between lines 16 and 17, of the printed bill, under "Cornichon Blanc", insert "Crystal".

**Amendment No. 2**

On page 1, between lines 17 and 18, of said bill, under "Dattier de Beyrouth", insert "Delight".

**Amendment No. 3**

On page 1, between lines 23 and 24, of said bill, under "Angelino", insert "Cardinal".

**Amendment No. 4**

On page 2, between lines 4 and 5, of said bill, under "Black Hamburg", insert "Black-rose".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 700 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Miller, Montgomery, Powers, Regan, Sutton, Tenney, Thompson, and Weybret—23.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 701**—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 701?

##### Amendment No. 1

On page 1, line 23, of the printed bill, strike out "Cardinal."

##### Amendment No. 2

On page 1, line 24, of said bill, strike out "and Perlette shall test", and insert "Delight and Perlette shall so test".

##### Amendment No. 3

On page 1, line 26, of said bill, after "shall", insert "so".

##### Amendment No. 4

On page 1, line 27, of said bill, strike out the period, and insert "; however, the Blackrose and Cardinal varieties shall so test either not less than 16 percent or not less than 15 percent if the juice contains soluble solids equal to or in excess of 25 parts to every part of acid contained in the juice (the acidity of the juice to be calculated as tartaric acid without water of crystallization)."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 701 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, McBride, Montgomery, Regan, Sutton, Tenney, Thompson, and Weybret—23.

NOES—None.

Above bill ordered enrolled.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 1619**—An act to amend Section 65 of, and to add Sections 65.1, 65.2 and 65.3 to the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Byrne, Coombs, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Sutton, Tenney, Thompson, Weybret, and Williams—22.

NOES—Senators Collier, Cunningham, Harold T. Johnson, McBride, Miller, Montgomery, and Regan—7.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1067**—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Constitutional Amendment No. 23**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII, relating to the exemption of vessels engaged in commerce from taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—Senator Sutton—1.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 1279**—An act to repeal Chapter 728 of the Statutes of 1909, relating to the American River No. 1, Reclamation Districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Regan, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1282**—An act to repeal Chapter 384 of the Statutes of 1913, relating to Reclamation District No. 1400.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, Powers, Regan, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1284**—An act to repeal Chapter 567 of the Statutes of 1877-8, relating to Reclamation District No. 254.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, Powers, Regan, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1285**—An act to repeal Chapter 348 of the Statutes of 1877-8, relating to Reclamation District No. 252.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan Richards at the Desk

**Senate Bill No. 156**—An act to amend Section 4014 of the Public Resources Code, relating to cooperation with the Federal Government with respect to forest lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1448**—An act to add Section 203.7 to the Welfare and Institutions Code, relating to the obligation of each county to pay for the hospital treatment of its indigent residents.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 878**—An act to amend Sections 41 and 42 of the Public Utility District Act of 1921 (Chapter 560 of the Statutes of 1921), and to amend Sections 16501 and 16544 of the Public Utilities Code, relating to bids for furnishing supplies to and for construction work in public utilities districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Regan, Sutton, Tenney, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1581**—An act relating to the California Toll Bridge Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 410**—An act to amend Section 14549 of the Health and Safety Code, relating to the division of funds and property of a fire protection district upon withdrawal of territory.

Bill read third time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 26, 1953, strike out "Section", and insert "Sections 14258.6 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, line 1, of said bill, as amended, after "SECTION 1.", insert "Section 14258.6 of the Health and Safety Code is amended to read:

14258.6. Upon the withdrawal of any territory of a district included within a city all property required for the district and all *unencumbered* funds remaining on hand on the date of withdrawal, *including taxes levied and collected by the district on property withdrawn after the date of withdrawal*, shall be divided between the city and the remaining district in proportion to the assessed value of the real property of the territory so withdrawn and the portion remaining. [All taxes collected by the district after the date of withdrawal on real property so withdrawn shall be paid over to the city.] *For the purpose of this article, the unencumbered funds are the sum of money, uncollected taxes, and other uncollected accounts belonging to or due such district, in excess of an amount sufficient to pay all claims and accounts against the district.*

SEC. 2."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 574**—An act to amend Section 1861 of the Civil Code, relating to liens of keepers of hotels, inns, boardinghouses and lodginghouses.

Bill read third time.

#### Motion to Amend

Senator Tenney moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 3, of the printed bill, after "hotel," insert "motel,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1467**—An act to add Article 15, comprising Section 1578, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to unclaimed or abandoned property.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1470**—An act to add Section 1382 to the Code of Civil Procedure, relating to the sale by the State Controller of real property distributed or escheated to the State of California.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 511**—An act to add Section 1550.6 to the Welfare and Institutions Code, relating to reinvestigation of eligibility for aid to needy children.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1935**—An act to establish an unemployment insurance code, thereby consolidating and revising the law relating to unemployment and disability compensation, and to repeal acts and parts of acts specified therein.

Bill read third time, and presented by Senator Brown.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Desmond, Dilworth, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 787**—An act to add Section 5931.5 to the Elections Code, relating to war voters and providing for the termination of provisions relating thereto.

Bill read third time, and presented by Senator Dilworth.



The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1065**—An act to amend Section 45 of the Elections Code, relating to the signing of petitions or papers by voters.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1066**—An act to amend Section 180 of the Elections Code, relating to registration of electors.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 1076**—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1077**—An act to amend Section 3829 of the Elections Code, relating to ballot forms.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1078**—An act to amend Section 3924 of the Elections Code, relating to ballot forms.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Murdy, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3473**—An act to amend Section 377 of the Streets and Highways Code, relating to state highway routes, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Collier.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 52:** By Senator Tenney Relative to the passing of James Thorpe.

#### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 52, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 52

**Senate Concurrent Resolution No. 52:** Relative to the passing of James Thorpe.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Resolution ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1090**

Senator Regan moved that Senate Bill No. 1090 be withdrawn from Committee on Transportation for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1090**—An act to amend Section 697 of the Vehicle Code, relating to length of vehicles by adding a new section thereto to be numbered Section 697.2.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "bus", insert "when equipped with three axles".

**Amendment No. 2**

On page 1, lines 7 and 8, of said bill, strike out "when equipped with three axles".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 558**

Senator McCarthy moved that Senate Bill No. 558 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Bill read second time.

**Motion to Amend**

Senator McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, lines 18 to 20, inclusive, of the printed bill, as amended in Senate March 12, 1953, strike out "and expended as authorized or required by the provisions of the Bridge and Highway District Act."

**Amendment No. 2**

On page 2 of said bill, as amended, strike out lines 25 to 28, inclusive, and insert "31005. The".

**Amendment No. 3**

On page 2 of said bill, as amended, after line 35, insert

"Sec. 2. This act shall become operative on the first day of January, 1955, if prior to that date the Bridge and Highway Bond Act of 1953 has received a majority of all the votes cast for and against it at the general election held in the month of November, 1954."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 1341

Senator Cunningham moved that Assembly Bill No. 1341 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 1341**—An act to amend Section 2095 of the Financial Code, relating to the transfer of trust business upon the merger, consolidation or sale of banks.

Bill read second time.

## Motion to Amend

Senator Cunningham moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2095", and insert "Sections 2071, 2072, 2095 and 3010".

## Amendment No. 2

In line 2 of the title of said bill, following "to", insert "the merger of banks and trust companies and".

## Amendment No. 3

On page 2 of said bill, following line 15, insert

"Sec. 2. Section 2071 of the Financial Code is amended to read:

2071. Any agreement for the merger or consolidation of two or more banks or trust companies and any certificate executed pursuant to Section 4124 of the Corporations Code pertaining to such merger or consolidation, shall have the approval of the superintendent endorsed thereon before the same is filed with the Secretary of State.

SEC. 3. Section 2072 of the Financial Code is amended to read:

2072. When any agreement for consolidation or any agreement for merger or any certificate of ownership has been filed with the Secretary of State with the approval of the superintendent endorsed thereon, a copy thereof, certified by the Secretary of State, shall immediately be filed with the superintendent and upon, and not until, such filing the merger or consolidation shall be and become effective for all purposes.

In the case of a consolidation, the superintendent, thereupon, and as of the next and day of such thing, shall issue his certificate authorizing the consolidated bank or trust company to engage in the commercial banking, savings banking or trust business or some or all of such businesses, as the case may be; and in the case of a merger, if the surviving corporation acquires additional powers by such merger, the superintendent shall issue to it his certificate authorizing it to engage in the commercial banking, savings banking, or trust business or some or all of such businesses, as the case may be.

SEC. 4. Section 3010 of the Financial Code is amended to read:

3010. Whenever: (a) a sale of the whole of the business of any bank authorized to engage in the trust business, or of the trust department of any bank or of any branch office of any bank has been completed; or (b) two or more state banks, one or more of which is authorized to engage in the trust business, are consolidated or merged, or (c) one or more national banks, one or more of which is authorized to engage in the trust business, are consolidated with or merged into a state bank, the superintendent, upon request, shall issue under his official seal a certificate in writing duly acknowledged by him in substantially the following form:

## "State Banking Department

State of California

City and County of San Francisco

I, \_\_\_\_\_ Superintendent of Banks of the State of California, do hereby certify (1) that \_\_\_\_\_ has purchased (the whole of the business, or the whole of the business of the \_\_\_\_\_ department, or the whole of the business of the \_\_\_\_\_ department of the \_\_\_\_\_ branch or the whole of the business of the \_\_\_\_\_ branch, as the case may be, of \_\_\_\_\_ bank, and that the agreement of purchase and sale as approved by me on \_\_\_\_\_ has been filed in my office; or (2) that \_\_\_\_\_ bank has been created by the consolidation of \_\_\_\_\_ bank and \_\_\_\_\_ bank and that the agreement of consolidation certified to by the Secretary of State was filed in my office at \_\_\_\_\_ o'clock on \_\_\_\_\_; or (3) that \_\_\_\_\_ bank has merged into the \_\_\_\_\_ bank and that the agreement of merger or certificate of ownership certified to by the Secretary of State was filed in my office at \_\_\_\_\_ o'clock on \_\_\_\_\_; and I do further certify that



the (purchase and sale) (consolidation) (merger) above referred to has been approved by me in the manner required by law and that such (purchase and sale) (consolidation) (merger) has been fully completed and consummated.

Given under my official seal this ----- day of -----, 19-----, Superintendent of Banks."

The recordation of such certificate in the office of the recorder of any county shall be to all persons constructive notice that all of the rights, benefits, privileges, duties, and obligations of whatever kind or nature held or possessed by or imposed upon the bank so selling its business and assets or that has expired by such consolidation or by such merger are retained by and imposed upon the successor bank.

Such certificate shall be prima facie evidence in all courts and places of the regularity of the proceedings taken and of the fact of such sale, consolidation, or merger."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 958

Senator Cunningham moved that Senate Bill No. 958 be withdrawn from Committee on Financial Institutions for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 958**—An act to amend Section 3392 of the Financial Code, relating to use of words indicating that one is engaged in the banking business and to use of corporate name by building and loan associations.

Bill read second time.

##### Motion to Amend

Senator Cunningham moved the adoption of the following amendment:

##### Amendment No. 1

On page 1, line 11, of the printed bill, after "matter", insert "hereafter made, created or printed".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 66

Senator Ed. C. Johnson moved that Senate Bill No. 66 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 66**—An act to amend Sections 23151 and 23158 of the Government Code, relating to the boundaries of counties.

Bill read second time.

##### Motion to Amend

Senator Ed. C. Johnson moved the adoption of the following amendments:

##### Amendment No. 1

On page 3 of the printed bill, as amended in Senate March 3, 1953, strike out lines 16 to 21, inclusive; and on line 22, strike out "Railway", and insert "distant on said course 2875.20 feet from the intersection of said north line of Section 29 with the center line of the Sacramento Northern Railway, formerly known as the Northern Electric Railway, as said center line of the railway is laid down and delineated upon the official

plat of Bear River Garden Subdivision No. 2 of record in Book 3 of Surveys, page 22, Sutter County Records; thence north  $23^{\circ} 01' 36''$  east, 7439.33 feet to a point on said center line of the Sacramento Northern Railway, which point is north  $0^{\circ} 16' 30''$  east and distant on said course 6780.00 feet from said intersection of the center line of the railway with the north line of said Section 29".

#### Amendment No. 2

On page 3, line 25, of said bill, as amended, strike out "Gardens", and insert "Garden".

#### Amendment No. 3

On page 3, line 29, of said bill, as amended, strike out "Gardens", and insert "Garden".

#### Amendment No. 4

On page 5 of said bill, as amended, strike out lines 29 to 33, inclusive; and on line 34, strike out "of the Sacramento Northern Railway", and insert "said course 2878.20 feet from the intersection of said north line of Section 29 with the center line of the Sacramento Northern Railway, formerly known as the Northern Electric Railway, as said center line of the railway is laid down and delineated upon the official plat of Bear River Garden Subdivision No. 2 of record in Book 3 of Surveys, page 22, Sutter County Records; thence north  $23^{\circ} 01' 36''$  east, 7439.33 feet to a point on said center line of the Sacramento Northern Railway, which point is north  $0^{\circ} 16' 30''$  east and distant on said course 6780.00 feet from said intersection of the center line of the railway with the north line of said Section 29".

#### Amendment No. 5

On page 5, line 37, of said bill, as amended, strike out "Gardens", and insert "Garden".

#### Amendment No. 6

On page 5, line 42, of said bill, as amended, strike out "Gardens", and insert "Garden".

#### Amendment No. 7

On page 7, line 31, of said bill, as amended, strike out "northwest", and insert "northeast".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1464

Senator Hoffman moved that Senate Bill No. 1464 be withdrawn from Committee on Judiciary for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1464**—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time.

#### Motion to Amend

Senator Hoffman moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 4 of the printed bill, after "coroner", insert "deputy coroner".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 930

Senator Hoffman moved that Senate Bill No. 930 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 930**—An act to amend Section 736.3 of the Agricultural Code relating to fluid milk and fluid cream.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "736.3", and insert "4280".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "736.3", and insert "4280".

**Amendment No. 3**

On page 1 of said bill, strike out line 3, and insert "4280. Each stabilization and marketing plan shall contain provisions for prohibiting distributors and retail stores from engaging in the unfair practices hereinafter set forth:

(a) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise.

(b) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing or retaining the fluid milk or fluid cream business of any customer.

(c) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream of like quantity under like terms and conditions.

(d) The false or misleading advertising of fluid milk or fluid cream as defined in Sections 17500, 17501, and 17502 of the Business and Professions Code.

(e) The purchase of any fluid milk in excess of 200 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers stating the amount of fluid milk to be purchased for any period. The quantity of such milk to be paid for as Class 1 in pounds of milk or pounds of milk fat or gallons of milk, and the price to be paid for all milk received, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class. The contract shall also state the date and method of payment for such fluid milk, which shall be that payment shall be made for approximately one-half of the milk delivered in any calendar month not later than the first day of the next following month and the remainder not later than the fifteenth day of said month, *except that the parties may specify two other dates for such purposes which dates shall not be later than the tenth and twenty-fifth days, respectively, of said month*, the charges for transportation if hauled by the distributor, and may contain such other provisions as are not in conflict with this chapter, and shall contain a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at the minimum price for fluid milk that is used for Class 3, as said class is defined in Section 4228. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution.

(f) The purchasing, processing, bottling, transporting, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area.

(g) The payment of a lesser price by a distributor to any producer for fluid milk or fluid cream which is distributed to any person, including agencies of the federal, state or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk or fluid cream for said marketing area."

**Amendment No. 4**

On page 1 of said bill, strike out lines 4 to 28, inclusive, and strike out all of pages 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1429**

Senator Hoffman moved that Senate Bill No. 1429 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1429**—An act to add Section 1229 to the Government Code, relating to leaves of absence for service in the United States Public Health Service.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Code", insert "and to add Article 7 to Part 3, Division 5, Title 2 thereof".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "in", and insert "to".

**Amendment No. 3**

In lines 2 and 3 of the title of said bill, strike out "Public Health Service.", and insert "Government in technical cooperation programs and to credit for such service in the State Employees' Retirement System."

**Amendment No. 4**

On page 1, line 4, of said bill, strike out "shall", and insert "may".

**Amendment No. 5**

On page 1, line 4, of said bill, after "absence", insert "without pay".

**Amendment No. 6**

On page 1, lines 5 to 7, of said bill, strike out "as a member of the Commissioned Corps of the United States Public Health Service", and insert "with the United States Government".

**Amendment No. 7**

On page 1, line 7, of said bill, after "country" and before the comma, insert "in a technical cooperation program under the Federal Act for International Development".

**Amendment No. 8**

On page 1, lines 7 and 8, of said bill, strike out "his return from such assignment", and insert "termination of such service".

**Amendment No. 9**

On page 1, line 8, of said bill, strike out "six", and insert "three".

**Amendment No. 10**

On page 1, after line 9, of said bill, insert  
"SEC. 2. Article 7 is added to Chapter 7, Part 3, Division 5, Title 2, of the Government Code, to read:

**Article 7. Foreign Service**

20940. As used in this article, "foreign service" means service rendered as an officer or employee of the United States in a foreign country to which the officer or employee is sent in furtherance of a technical cooperation program under the Federal Act for International Development, excluding any such service with respect to which the officer or employee became a member of any other retirement or pension system supported wholly or in part by funds of the United States Government, any state government, or any political subdivision thereof, and with respect to which he continues to receive credit in such other system for such service after his return to state service.

For the purposes of this part, a person shall be considered as being in "foreign service" only while he is receiving compensation from the Government of the United States.



20941. Upon compliance with the provisions of Section 20942, any state or local member of this system shall be credited with state service in the amount of time during which he was in foreign service, and for the purposes of this part foreign service so credited shall be considered state service, if the member comes within all of the following descriptions:

(a) Prior to performing the foreign service, he was employed by the State or by a contracting agency.

(b) He terminated his employment by the State or by such contracting agency, or was absent therefrom without compensation, in order to enter foreign service.

(c) Within three months after separation from or termination of his foreign service, he was employed by the State or by a contracting agency.

20942. Any member eligible to be credited with state service for time during which he was in foreign service, as provided in Section 20941, may, not later than 90 days after notice of his right to do so is mailed by this system to the office, department, or contracting agency by which the member currently is employed, or to the member's latest address on file in the office of this system, file with the board a written election to make contributions pursuant to this section, and to receive credit in this system as state service for time during which he was in foreign service, together with such information concerning his foreign service as the board may require; and may thereafter contribute to the retirement fund, at times, in amounts, and in a manner fixed by the board, amounts equal to (a) the member contributions which he would have made to the fund during the time he was in foreign service, assuming he had then been in state service and a member of this system, on the basis of his compensation earnable at the time he terminated his state service to enter foreign service, (b) the contributions that would have been made by his employer during the time he was in foreign service, assuming he had then been in state service and a member of this system, on the basis of his compensation earnable at the time he terminated his state service to enter foreign service, and (c) the interest which would have been credited to such member contributions and such employer contributions if they had been made from month to month during the time the member was in foreign service, from such time until the completion of payment of those contributions.

20943. Upon completion of contribution of the amount specified in Section 20942, the member shall be credited with state service in the amount of time he was in foreign service. However, a member shall not receive credit as state service for any foreign service in excess of that for which he has completed payment of contributions as provided in Section 20942. A member who has elected to make such contributions by installment payments may, at any time prior to the effective date of his retirement, complete payment of such contributions by lump sum payment. All contributions made pursuant to this section shall be considered to be, and administered as, normal contributions by the member."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 411

Senator Thompson moved that Senate Bill No. 411 be withdrawn from Committee on Business and Professions for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 411**—An act to repeal Section 9561 of, and to add Sections 9505.3, 9533.5, 9533.6, 9541.2, and 9551.5 to, and to amend Sections 9501, 9502, 9506, 9540.7, and 9590 of, the Business and Professions Code, relating to the regulation of the dry-cleaning industry.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate March 26, 1953, after "9540.7.", insert "9580."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 3 of said bill, as amended, between lines 39 and 40, insert

"SEC. 11. Section 9580 of said code is amended to read:

9580. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

- (a) An application for examination is ten dollars (\$10).
- (b) The annual license fee for a dyeing plant or a wholesale or retail cleaning establishment or plant is fifty dollars (\$50) but may be reduced [during any licensing period] *by the board or the director* to a sum not less than thirty dollars (\$30).
- (c) The annual license fee for each private [pressing] school or college of *spotting, spounging or pressing* is two hundred fifty dollars (\$250).
- (d) The annual license fee for a "cleaning and dyeing shop or store," a "spotting, spounging, or pressing establishment," dry cleaning agency, hat renovator or fur renovator is eight dollars (\$8), but may be reduced by the board *or the director* [during any licensing period] to an amount not less than five dollars (\$5).
- (e) The annual fee required of all operators and owner-operators for a certificate of registration is two dollars (\$2).
- (f) The fee for a duplicate license or certificate of registration is one dollar (\$1)."

#### Amendment No. 3

On page 3, line 40, of said bill, as amended, strike out "SEC. 11", and insert "SEC. 12".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

### REPORTS OF STANDING COMMITTEES

#### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 876

Assembly Bill No. 2425

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

POWERS, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred: Senate Bill No. 1634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

POWERS, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred: Senate Bill No. 198

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

POWERS, Vice Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 95

Senate Concurrent Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1444

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 77

Assembly Bill No. 267

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; noes 2.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 57

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 359

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Finance**

SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported resolution ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:  
Senate Bill No. 777

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:  
Senate Bill No. 1061

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 151

Senate Bill No. 822

Senate Bill No. 157

Senate Bill No. 1363

Senate Bill No. 799

Senate Bill No. 1757

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 1876

• Assembly Bill No. 1940

Assembly Bill No. 1937

Assembly Bill No. 1942

Assembly Bill No. 1938

Assembly Bill No. 3418

Assembly Bill No. 1939

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 603

Assembly Bill No. 1784

Assembly Bill No. 839

Assembly Bill No. 1785

Assembly Bill No. 1129

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Hoffman to serve as a member of the Committee on Interstate Cooperation, under the terms of Senate Rule 169, to take the place of Senator Burns, resigned.

POWERS, Chairman



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 208

Assembly Bill No. 2832

Assembly Bill No. 851

Assembly Bill No. 1897

Assembly Bill No. 1053

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1895

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1872

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1555

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 49

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 49**—Relative to acquisition of the Central Valley Project by the State.

Referred to Committee on Water Resources.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 527

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

**Assembly Bill No. 527**—An act providing for a study of earth barriers in San Francisco Bay, creating a legislative advisory committee to assist in the study, and making an appropriation for the purposes of the act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 46  
 Assembly Bill No. 58  
 Assembly Bill No. 152  
 Assembly Bill No. 219  
 Assembly Bill No. 322  
 Assembly Bill No. 380  
 Assembly Bill No. 474  
 Assembly Bill No. 645  
 Assembly Bill No. 735  
 Assembly Bill No. 736  
 Assembly Bill No. 750

Assembly Bill No. 896  
 Assembly Bill No. 976  
 Assembly Bill No. 1411  
 Assembly Bill No. 1513  
 Assembly Bill No. 1547  
 Assembly Bill No. 1687  
 Assembly Bill No. 1775  
 Assembly Bill No. 2066  
 Assembly Bill No. 2115  
 Assembly Bill No. 2128  
 Assembly Bill No. 2157

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 46**—An act to amend Section 2103 of the Education Code, relating to the compensation of members of boards of education.

Referred to Committee on Local Government.

**Assembly Bill No. 58**—An act to amend Section 406 of the Education Code, relating to the salaries of county superintendents of schools.

Referred to Committee on Local Government.

**Assembly Bill No. 152**—An act to add Section 866.5 to the Penal Code, relating to preliminary examinations.

Referred to Committee on Judiciary.

**Assembly Bill No. 219**—An act to amend Section 25502.5 of the Government Code, relating to the duties of county purchasing agents.

Referred to Committee on Local Government.

**Assembly Bill No. 322**—An act to amend Section 424 of the Education Code, relating to the salary of the county superintendent of schools of counties of the twenty-fourth class.

Referred to Committee on Local Government.

**Assembly Bill No. 380**—An act to amend Section 16273 of the Education Code, relating to the definition of school bus.

Referred to Committee on Education.

**Assembly Bill No. 474**—An act to amend Section 1731.5 of, and to repeal Sections 1732 and 1734 of, the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Referred to Committee on Judiciary.

**Assembly Bill No. 645**—An act to amend Section 12470 and 12474 of the Government Code, relating to a uniform state pay roll system.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 735**—An act to amend Section 28001 of the Government Code, relating to payment of salaries of county officers and employees.

Referred to Committee on Local Government.

**Assembly Bill No. 736**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378 and 29379 of the Government Code, relating to county officers' cash difference fund.

Referred to Committee on Local Government.

**Assembly Bill No. 750**—An act to add Section 214.5 to the Revenue and Taxation Code, relating to the "welfare exemption."

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 896**—An act to add Section 6616 to the Labor Code, relating to safety orders.

Referred to Committee on Labor.

**Assembly Bill No. 976**—An act to amend Sections 7200, 7209, 7211, and 7216 of the Business and Professions Code, relating to guide dogs for the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1411**—An act to add Section 7407.1 to the Education Code, relating to the issuance and sale of bonds of joint school districts.

Referred to Committee on Education.

**Assembly Bill No. 1513**—An act to add a new section to the Public Resources Code to be numbered 2361, relating to mining partnerships.

Referred to Committee on Natural Resources.

**Assembly Bill No. 1547**—An act to add Section 2561.2 to the Education Code, dealing with annexation of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1687**—An act to amend Section 43001 of the Government Code, relating to tax liens of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1775**—An act to add Section 1552.6 to the Welfare and Institutions Code, relating to the location and prosecution of parents of needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2066**—An act to amend Section 60 of the Alcoholic Beverage Control Act (Chapter 330, Statutes of 1935) and Section 25633 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2115**—An act to amend Sections 2117 and 2285 of the Business and Professions Code, relating to the State Board of Medical Examiners.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2128**—An act to amend Sections 8560, 8562, 8563, 8564, 8565, 8566, 8568, and 8571 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2157**—An act to amend Section 29923 of the Government Code, relating to bonded indebtedness of counties and the levy of taxes to pay the principal of and interest on county bonds.

Referred to Committee on Local Government.

#### ADJOURNMENT

At 4.20 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, April 3, 1953, out of respect to the memory of the late James Thorpe.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTIETH LEGISLATIVE DAY  
FIFTY-SECOND CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Friday, April 3, 1953

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:  
Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator O'Gara, on motion of Senator Powers, due to legislative business.

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Ward, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Hatfield, on motion of Senator Powers, due to legislative business.

Senator Gibson, on motion of Senator Powers, due to legislative business.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Darrell Firestone and children, Amette and David, of Hanford.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. R. H. Rollins of Alhambra.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Otto Oberst, instructor at Chico High School.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dorothy Miller, wife of Senator Miller, and their children, George III, Gretchen, and Laura.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Eunice Hines of San Jose.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Maxine Stoddard, Sue Stoddard, and Kim Stoddard of El Cerrito.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ken Canfield and Murle Adams of Marysville.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Vance Webb, Mrs. Nettie Webb, and Master Jeffry Webb of Taft.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Don McLeod and son, Bob, of Los Angeles.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.10 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

THE SENATE, TWENTY-SEVENTH LEGISLATURE  
TERRITORY OF HAWAII  
HONOLULU, HAWAII, March 31, 1953

*The Honorable Goodwin J. Knight  
President of the Senate of the  
Legislature of California  
Sacramento, California*

SIR: I have the honor to transmit herewith certified copy of Concurrent Resolution No. 22, which was adopted by the Twenty-Seventh Legislature of the Territory of Hawaii.

Very truly yours,

ELLEN D. SMYTHE  
Clerk of the Senate

## SENATE CONCURRENT RESOLUTION NO. 22

## The Legislature of the Territory of Hawaii

Presented March 30, 1953, by Senators Wilfred C. Tsukiyama, Kuzuhisa Abe, William J. Nobriga, Tom T. Okino, N. Miyake, John Gomes Duarte, Wendell F. Crockett, T. Ansai, Joseph R. Itagaki, Ben Dillingham, Herbert K. H. Lee, Wm. H. Heen, John B. Fernandes, and Mary K. Robinson.

In appreciation of the friendly attitude of the Legislature of California in the matter of Statehood for Hawaii

WHEREAS, A most cordial relationship has always existed between the State of California and the Territory of Hawaii, and the peoples residing in the two areas have regarded themselves as good next-door neighbors; and

WHEREAS, On many occasions in the past, the people and Government of the State of California have voluntarily offered to and did render assistance to the people and Government of the Territory of Hawaii, particularly in matters pertaining to Congressional legislation affecting the Territory of Hawaii; and

WHEREAS, On account of its secondary political status, the Territory of Hawaii has always found itself in a disadvantageous position, notwithstanding the fact that its people have been and are still being subjected to the same federal taxes and other obligations as those imposed upon the peoples of all the States in the Union; and

WHEREAS, The Legislature of the State of California has recently passed S.J.R. 8 memorializing the Congress and the President of the United States to enact at this session of the Congress such laws as will create the State of Hawaii as the Forty-Ninth State of our Country; now, therefore,

*Be it resolved* By the Senate of the Twenty-Seventh Legislature of the Territory of Hawaii, the House of Representatives concurring, that the Legislature express its profound appreciation to the Legislature of the State of California for the passage of S.J.R. 8, which demonstrates its gracious attitude symbolizing and accentuating the friendship and good-will of the people of the State of California toward the people and Government of the Territory of Hawaii.

*Be it further resolved* That authenticated copies of this Concurrent Resolution be forwarded to the President of the Senate and the Speaker of the Assembly of the State of California.

## THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 31, 1953

We hereby certify that the foregoing Concurrent Resolution was adopted by the Senate of the Twenty-Seventh Legislature of the Territory of Hawaii, on March 30, 1953.

WILFRED C. TSUKIYAMA  
President of the Senate  
ELLEN D. SMYTHE  
Clerk of the Senate

## THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 31, 1953

We hereby certify that the foregoing Concurrent Resolution was adopted by the House of Representatives of the Territory of Hawaii, on March 31, 1953.

HIRAM L. FONG  
Speaker, House of Representatives  
WALTER C. CHURCH  
Clerk, House of Representatives

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 707

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file.

## ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 262

Senate Bill No. 287

Senate Joint Resolution No. 22

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

## ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1431

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered enrolled.

## ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 123

Senate Bill No. 135

Senate Bill No. 708

Senate Bill No. 751

Senate Bill No. 752

Senate Bill No. 1125

Senate Bill No. 1165

Senate Bill No. 1404

Senate Bill No. 1405

Senate Bill No. 1406

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

## SENATE CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 126

Senate Bill No. 672

Senate Bill No. 673

Senate Bill No. 674

Senate Bill No. 675

Senate Bill No. 1190

Senate Bill No. 1430

Senate Bill No. 1438

Senate Bill No. 1770

Senate Bill No. 1774

Senate Bill No. 1884

Senate Concurrent Resolution No. 40

And reports the same correctly engrossed.

POWERS, Chairman

## RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

## Senate Resolution No. 97

Relative to memorializing the passing of Ivan Lebedeff

WHEREAS, Ivan Lebedeff passed away on March 31, 1953, ending nearly a quarter of a century of activity in the motion picture industry; and

WHEREAS, Ivan Lebedeff was noted for his great and sincere advocacy of Americanism and courageously conducted a crusade against doctrines subversive to our way of life; now, therefore, be it

*Resolved by the Senate of the State of California*, That the members thereof mourn the passing of Ivan Lebedeff in gratitude for his championing of the American way of life, and extend deepest sympathy to his widow, Wera Lebedeff; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit a copy of this resolution to Mrs. Wera Lebedeff.

Resolution read, and unanimously adopted on a motion of Senator Tenney.



## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 1228 carries an appropriation.

The President ordered Senate Bill No. 1228 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 941**—An act to add Section 803.1 to the Fish and Game Code, relating to razor clams, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

## Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "claims", and insert "clams".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 691**—An act to amend Sections 902 and 903 of the Fish and Game Code, relating to nets.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 782**—An act to repeal Section 2 of Chapter 1042 of the Statutes of 1951, relating to nets.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 224**—An act to amend Section 803 of the Fish and Game Code, relating to clams.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 487**—An act to amend Section 958 of the Fish and Game Code, relating to nets.

Bill read second time.

## Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, lines 11 and 12, of the printed bill, strike out "vegetable", and insert "manila or hemp".

**Amendment No. 2**

On page 1, line 12, of said bill, after "diameter", insert "or of cotton fiber rope not over five-sixteenths of an inch in diameter."

**Amendment No. 3**

On page 1, line 14, of said bill, after "measured", insert "when wet".

**Amendment No. 4**

On page 1, line 16, of said bill, strike out "and one-half".

**Amendment No. 5**

On page 1, line 23, of said bill, after "hung", insert "and tied to each rib line".



**Senate Bill No. 1444**—An act to add Section 670.5 to the Streets and Highways Code, relating to display of the American Flag.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation :

**Amendment No. 1**

In the title of the printed bill, strike out "American Flag", and insert "Flag of the United States of America and the Flag of the State of California".

**Amendment No. 2**

On page 1, line 3, of the printed bill, strike out "American Flag", and insert "Flag of the United States of America and the Flag of the State of California".

**Amendment No. 3**

On page 1, line 7, of the printed bill, strike out the period, and insert "; provided, that a permit is first obtained from the city engineer."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 77**—An act to add Section 1352.2 to the Labor Code, relating to working hours of female employees.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 57**—An act to add Section 665 to the Fish and Game Code, relating to commercial fishing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Fish and Game :

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "five", and insert "three".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 359**—An act to amend Section 956 of, and to repeal Sections 957 and 1078 of, the Fish and Game Code, relating to nets.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Fish and Game :

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert "shore, including those portions of Monterey Bay, Estero Bay, and San Luis Obispo Bay which lie within said districts."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Concurrent Resolution No. 16**—Relative to a survey of state utilization of a microwave or wire line system of communications.

Resolution read.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, line 7, of the printed measure, as amended in the Senate March 20, 1953, after "Communications", insert "in conjunction with the Legislative Auditor".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

**Senate Bill No. 777**—An act to add Section 1157 to the Health and Safety Code, relating to local public health administration.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in the Senate March 18, 1953, after "purpose.", insert "Funds expended pursuant to this section shall be in accordance with law regarding expenditures of money appropriated out of the State Treasury, including those in the Budget Act and any applicable provisions of the Government Code."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 151**—An act to add Article 7 to Chapter 2 of Division 4 of the Public Resources Code, relating to educational projects with respect to forests.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 157**—An act to amend the heading of Chapter 3 of Division 4 of, to amend Sections 4451, 4453, 4454, 4455, and 4459 of, and to add Section 4454.5 to, the Public Resources Code, relating to forest insect and plant disease control.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 822**—An act to amend Sections 550 and 567 of the Military and Veterans Code, relating to the organization and maintenance of the California National Guard Reserve at cadre strength during such time as may be necessary, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1363**—An act to add Section 156 to the Business and Professions Code, relating to contracts of the Department of Professional and Vocational Standards.

Bill read second time, ordered engrossed, and to third reading.



**Senate Bill No. 1757**—An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 876**—An act to amend Section 59 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) and Section 25630 of the Business and Professions Code, relating to sales on Election Day.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2425**—An act to amend Section 9355 of the Government Code, relating to the Legislators' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 267**—An act to amend Section 3208 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1876**—An act to codify Chapter 296 of the Statutes of 1939, Chapter 1173 of the Statutes of 1951 and the Wildlife Conservation Act of 1947, by repealing said chapters and act and adding Division 6 to the Fish and Game Code, relating to wild life conservation, propagation, management and utilization and recreational facilities connected therewith.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1937**—An act to add Article 1 to Chapter 5 of Part 2, Division 1, of the Unemployment Insurance Code, relating to the Disability Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1938**—An act to add Article 4 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Department of Employment Contingent Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1939**—An act to add Article 3 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Administration Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1940**—An act to add Article 2 to Chapter 6, of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Unemployment Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1942**—An act to add Section 1535 to the Unemployment Insurance Code, relating to the Unemployment Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3418**—An act to amend Sections 3 and 5 of Chapter 14 of the 1952 Second Extraordinary Session, relating to the emergency use of prison labor in earthquake areas, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 603**—An act to add Section 34.7 to the Agricultural Code, relating to livestock and poultry disease diagnostic laboratories.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 839**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1129**—An act to amend Sections 34.6, 120, 120.5, and 121 of the Agricultural Code, relating to the commingling of nursery license, plant certification and identification record fees and the listing of nursery licensees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1784**—An act to amend Section 6720 of, and to add Section 6722 to, the Welfare and Institutions Code, relating to escape from a state hospital or Veterans Administration hospital or facility.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1785**—An act to amend Section 6652 of the Welfare and Institutions Code, relating to charges for services furnished by the Department of Mental Hygiene.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Tenney moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, strike out lines 14 to 16, inclusive, of the printed bill as amended in Assembly March 26, 1953, and insert "This section shall remain in effect until March 31, 1954."

#### Amendment No. 2

On page 2, strike out lines 6 to 8, inclusive, and insert "This section shall remain in effect until March 31, 1954."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

## MOTIONS TO RECONSIDER

**Senate Bill No. 133**—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

## Postponement of Reconsideration

Senator Desmond moved that further consideration of his motion to reconsider the vote whereby Senate Bill No. 133 was passed, be continued until the next legislative day.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 642**—An act to add Section 605.5 to the Probate Code, and to add Section 14501.5 to the Revenue and Taxation Code, relating to inheritance tax and probate appraisers.

Bill read third time.

## Motion to Amend

Senator Grunsky moved the adoption of the following amendment:

## Amendment No. 1

On page 2, line 2, of the printed bill, as amended in Senate March 31, 1953, after the period, insert "The order designating such inheritance tax appraiser shall be filed with the county clerk."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1884**—An act authorizing the State Lands Commission to exchange property of the State of California for property in Contra Costa County for purposes of navigation and flood control and providing for actions against the State to quiet title to the land exchanged and to determine the validity of the title to such lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, and Weybret—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 126**—An act to amend Section 13031.1 of the Education Code, relating to employment of persons requiring certification.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—None.

## Motion to Amend Title

Senator Dilworth moved the adoption of the following amendment to the title of Senate Bill No. 126:

## Amendment No. 1

In line 2 of the title of the printed bill, strike out "persons", and insert "school district employees".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1190**—An act to amend Section 25823 of the Government Code, relating to the powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 675**—An act to amend Sections 10176, 10177, 10177.5 and 10177.6 of, and to add Section 10101 to, the Business and Professions Code, relating to procedure for revoking, suspending or denying a real estate license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 672**—An act to amend Section 11010 and 11015 of the Business and Professions Code, relating to subdivided lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 673**—An act to amend Sections 10561, 10562, 10562.5 and 10562.6 of the Business and Professions Code, relating to mineral, gas, and oil licensees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.



Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 674**—An act to amend Sections 10301, 10302, 10302.5 and 10302.6 of the Business and Professions Code, relating to real estate regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Busch, Byrne, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 266 be placed on the inactive file.

Motion carried.

**Senate Resolution No. 95**

Relative to requesting the Department of Motor Vehicles to make an investigation concerning the feasibility, advantages and methods of reflectorizing license plates

**WHEREAS**, The Sacramento Junior Chamber of Commerce, as well as other junior chambers throughout California and in the Nation, have recognized the importance of reducing the terrible toll in life and property that traffic accidents are taking on our streets and highways; and

**WHEREAS**, These junior chambers have taken the lead in placing reflectorized tape strips on the rear bumpers of automobiles, as well as bicycles, in an effort to aid in the reduction of night traffic accidents; and

**WHEREAS**, Records show that this program has had a very definite effect in reducing night accidents, particularly the serious rear-end crashes; and

**WHEREAS**, The public has proven it wants this protection afforded by rear-end reflectorization, as evidenced by the tens of thousands of motorists who voluntarily purchased the reflectorized strips; and

**WHEREAS**, This protection and vital nighttime safety measure could be provided all motorists in California and thus aid materially in the saving of lives and property if a reflectorizing material were placed on automobile license plates by the State of California; and

**WHEREAS**, It is reported that other states are now reflectorizing their license plates with a resultant reduction of night accidents, and particularly in the rear-end collision type, and more states are now considering such reflectorized license plates; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Department of Motor Vehicles is hereby requested to investigate the feasibility, advantages and methods of reflectorizing license plates for all vehicles registered in this State as a measure to help reduce California's soaring nighttime accident rate; and be it further

*Resolved*, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of the Department of Motor Vehicles.

Resolution read, and adopted on motion of Senator Desmond.

**Senate Concurrent Resolution No. 40**—Relative to the changing of the name of the Russian Gulch State Park to Andrew E. Johnston State Park.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Powers, Sutton, Tenney, Way, Weybret, and Williams—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 410**—An act to amend Section 14549 of the Health and Safety Code, relating to the division of funds and property of a fire protection district upon withdrawal of territory.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 574**—An act to amend Section 1861 of the Civil Code, relating to liens of keepers of hotels, inns, boardinghouses and lodgings.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2990**—An act to amend Section 1057 of the Code of Civil Procedure, relating to obligees on bonds and undertakings executed by personal sureties.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2991**—An act to amend Section 2469.1 of the Civil Code, relating to cessation of business conducted under a fictitious name.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, Sutton, Tenney, Thompson, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1067**—An act to amend Section 220 of the Elections Code, relating to registration of electors.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2821**—An act to amend Section 6a of the Alcoholic Beverage Control Act (Chapter 330, Statutes of 1935), and to amend Section 24440 of the Business and Professions Code, relating to the sale of beer to instrumentalities of the armed forces of the United States, to take effect immediately.

Bill read third time, and presented by Senator McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Powers, Sutton, Tenney, Thompson, Way, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 310**—An act to amend Section 20393 of the Government Code, relating to contributions to the State Employees' Retirement System.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1146**—An act to amend Section 19540 of the Government Code, relating to the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 850**—An act to amend Section 14722 of the Education Code, relating to school district retirement salary plans.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1032**—An act to add Section 16145 to the Education Code, relating to student organizations.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1412**—An act to add Section 14137.5 to the Education Code, relating to school district merit systems.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2278**—An act to amend Sections 28111, 28116, 28120, 28130, 28133, 28140, 28142, 28150, and to repeal Sections 28115 and 28148 of the Health and Safety Code, relating to cold storage.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 367**—An act to add Section 10038 to the Health and Safety Code, relating to vital statistics.

Bill read third time, and presented by Senator Donnelly.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—Senator Dorsey—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1842**—An act to add Section 9.5 to the Metropolitan Water District Act, relating to metropolitan water districts and annexations thereto of corporate areas of municipalities as defined in paragraph (a) of Section 9 of said Metropolitan Water District Act, and exclusions of territory from such municipalities resulting from annexations of such territory therein to certain types of cities within metropolitan water districts, declaring severability of the provisions of this act, declaring the urgency thereof, to take immediate effect.

Bill read third time, and presented by Senator Cunningham.



**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 196**—An act to add Section 25372 to the Government Code, relating to the leases of property by cities, counties, and state or other public agencies.

Bill read third time, and presented by Senator McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 206**—An act to amend Section 422 of the Education Code, relating to the compensation of county superintendents of schools of counties of the twenty-second class.

Bill read third time, and presented by Senator McCarthy.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1996**—An act to amend Section 6915 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1997**—An act to repeal Section 5565 of the Health and Safety Code, relating to powers and duties of county sewerage and water districts, in respect to work specifications.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Secretary J. A. Beek at the Desk**

**Assembly Bill No. 2002**—An act to amend Section 37500 of the Government Code, relating to the government of cities.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2003**—An act to amend Section 31645 of the Government Code, relating to the retirement of county employees.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.  
**NOES**—None.

Bill transmitted to the Assembly.

**Assembly Bill No. 2436**—An act to amend Section 413 of the Education Code, relating to the compensation of the county superintendent of schools.

Bill read third time, and presented by Senator Hoffman.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 207**—An act to amend Section 4733 of the Health and Safety Code, relating to the compensation of the governing bodies of sanitation districts.

Bill read third time, and presented by Senator McCarthy.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 235**—An act to amend Sections 28127 and 70045 of the Government Code and Section 427 of the Education Code and Section 261d of the Code of Civil Procedure, relating to compensation for public service.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—20.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.55 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1049

Senator Tenney moved that Senate Bill No. 1049 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1049**—An act to add Section 19585.5 to the Government Code, relating to the state civil service.

Bill read second time.

#### Motion to Amend

Senator Tenney moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Section 19585.5 to the Government Code", and insert "to amend Sections 19574, 19575, 19576, 19578, 19581, 19582, 19583, 19583.5, and 19585 of the Government Code".

**PRINTER'S NOTE**—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 19574 is hereby amended to read:

19574. The appointing power, or any person authorized by him, may take punitive action against an employee for one or more of the causes for discipline specified in this article by notifying the employee of the action, pending the service upon him of a written notice. Punitive action is valid only if a written notice is served on the employee and filed with the board not later than 15 calendar days after the date of such action. The notice shall be served upon the employee either personally or by mail and shall include: (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; [and] (d) a statement in ordinary and concise language of the acts or omissions upon which the causes are based; and (e) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal.

SEC. 2. Section 19575 is hereby amended to read:

19575. Not later than 15 calendar days after service of the notice of punitive action, the employee may file with the board a written answer to the notice, which

answer shall be deemed to be a denial of all of the allegations of the notice of punitive action not expressly admitted and a request for hearing or investigation as provided in this article. With the consent of the board or its authorized representative an amended answer may subsequently be filed. If the employee fails to answer within the time specified or after answer withdraws his appeal the punitive action taken by the appointing power shall be final. A copy of the employee's answer and of any amended answer shall promptly be given by the board to the appointing power.

SEC. 3. Section 19576 is hereby amended to read:

19576. Whenever an answer is filed by an employee who has been suspended without pay for 10 days or less the board or its authorized representative shall make an investigation with or without a hearing as it deems necessary; however, in the event an employee is suspended under subdivision (8) of Section 19572 for behavior or acts outside of duty hours, he shall, if he files an answer to the action, be afforded a hearing; or if he is suspended in more than three instances in any calendar year, he shall upon each additional suspension be afforded a hearing if he files an answer to the action.

SEC. 4. Section 19578 is hereby amended to read:

19578. Whenever an answer is filed to a punitive action other than a suspension without pay for 10 days or less, the board or its authorized representative shall within a reasonable time hold a hearing. The board shall notify the parties of the time and place of the hearing. Such hearing shall be conducted in accordance with the provisions of Section 11513 of the Government Code, except that the employee and other persons may be examined as provided in Section 19589, and the parties may submit all proper and competent evidence against or in support of the causes, but it shall be a presumption that the statement of causes is true.

SEC. 5. Section 19581 is hereby amended to read:

19581. The board or its authorized representative shall issue subpoenas for witnesses for the employee upon his written request and at his cost. The board or its authorized representative may require such costs to be prepaid.

SEC. 6. Section 19582 is hereby amended to read:

19582. [The board shall consider carefully the evidence submitted in the hearing and render a decision which in its judgment is just and proper.]

(a) Hearings may be held by the board, or by any authorized representative, but the board shall render the final decision which in its judgment is just and proper.

(b) If a contested case is heard by an authorized representative he shall prepare a proposed decision in such form that it may be adopted as the decision in the case. A copy of the proposed decision shall be filed by the board as a public record. The board itself may adopt the proposed decision in its entirety, or may reduce the proposed punitive action or penalty and adopt the balance of the proposed decision.

(c) If the proposed decision is not adopted as provided in subdivision (b) each party shall be furnished with a copy of the proposed decision. The board itself may decide the case upon the record, including the transcript, with or without taking any additional evidence, or may refer the case to the same or another authorized representative to take additional evidence. If the case is so assigned to an authorized representative he shall prepare a proposed decision as provided in subdivision (b) upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of such proposed decision shall be furnished to each party. The board itself shall decide no case provided for in this subdivision without affording the parties the opportunity to present either oral or written argument before the board itself. If additional oral evidence is introduced before the board itself no board member may vote unless he heard the additional oral evidence.

(d) In arriving at [its] a decision or a proposed decision the board or its authorized representative may consider any prior suspension or suspensions of appellant by authority of any appointing power, or any prior proceeding under this article.

SEC. 7. Section 19583 is hereby amended to read:

19583. The board shall render a final decision within a reasonable time after the hearing or investigation. The punitive action taken by the appointing power shall stand unless modified or revoked by the board. If the board finds that the cause or causes for which the punitive action was imposed were insufficient or not sustained, or that the employee was justified in the course of conduct upon which the causes were based, it may modify or revoke the punitive action and it may order the employee returned to his position either as of the date of the punitive action or as of such later date as it may specify. The final decision of the board shall be entered upon the minutes of the board and the official roster.

SEC. 8. Section 19583.5 is hereby amended to read:

19583.5. Any person with the consent of the board or the appointing power may file charges against an employee requesting that punitive action be taken for one or more causes for discipline specified in this article. The employee against whom such charges are filed shall have a right to answer as provided in this article. In all such cases [the board shall conduct a hearing] a hearing shall be conducted in accord with



*Section 19582 of the Government Code and if [it] the board finds that the charges are true it shall have the power to take such punitive action as in its judgment is just and proper.*

SEC. 8. Section 19585 is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1727

Senator Desmond moved that Senate Bill No. 1727 be withdrawn from Committee on Business and Professions for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1727**—An act to amend Section 6604 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

##### Motion to Amend

Senator Desmond moved the adoption of the following amendment:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after "ainers", strike out the comma, and insert "through vending machines,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 422

Senator Thompson moved that Senate Bill No. 422 be withdrawn from Committee on Local Government for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 422**—An act to amend Section 1 of Chapter 1705 of the Statutes of 1951, relating to the compensation of judges and attaches of the municipal court.

Bill read second time.

##### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1 of Chapter 1705 of the Statutes of"; and strike out line 2, and insert "Sections 73391 and 74041 of the Government Code re compensation of judges of".

##### Amendment No. 2

In line 3 of the title of said bill, strike out "court", and insert "courts in Santa Clara County".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1 of said bill, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert

"SECTION 1. Section 73391 of the Government Code is amended to read:  
73391. There shall be three judges, each of whom shall receive [ten thousand dollars (\$10,000)] *thirteen thousand dollars (\$13,000)* annually.

SEC. 2. Section 74041 of said code is amended to read:  
74041. There shall be one judge who shall receive a salary of [ten thousand dollars (\$10,000)] *thirteen thousand dollars (\$13,000)* annually."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1181

Senator Collier moved that Senate Bill No. 1181 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1181**—An act to revise the system by which certain revenues are collected for the support of the public streets and highways of the State, and, for that purpose, to amend Sections 8604, 8608, and 9256 of, to add Sections 8610, 8611, 8651.5, 8706, 9257, and 9258 to, and to repeal Part 4 of Division 2 of, the Revenue and Taxation Code, and to add Section 372.1 to the Vehicle Code, and providing that this act shall take effect immediately.

Bill read second time.

#### Motion to Amend

Senator Collier moved the adoption of the following amendments:

#### Amendment No. 1

In line 13 of the title of the printed bill, as amended in Senate March 27, 1953, after "and", insert "to amend Section 372 of, and".

#### Amendment No. 2

In line 13 of the title of said bill, as amended, after "372.1 to", insert a comma.

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 3 of said bill, as amended, between lines 13 and 14, insert

"SEC. 11. Section 372 of the Vehicle Code is amended to read:  
372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen weight		Fee	
(1)	Less than 6,000 lbs.	[\$36.00]	\$48.00
(2)	6,000 lbs. or more but less than 10,000 lbs.	[ 72.00]	96.00
(3)	10,000 lbs. or more	[ 96.00]	128.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight		Fee	
(1)	3,000 lbs. to and including 4,000 lbs.	[\$10.00]	\$14.00
(2)	4,001 lbs. to and including 5,000 lbs.	[ 20.00]	27.00
(3)	5,001 lbs. to and including 6,000 lbs.	[ 30.00]	40.00
(4)	6,001 lbs. to and including 7,000 lbs.	[ 40.00]	54.00
(5)	7,001 lbs. to and including 8,000 lbs.	[ 50.00]	67.00
(6)	8,001 lbs. to and including 9,000 lbs.	[ 60.00]	80.00
(7)	9,001 lbs. to and including 10,000 lbs.	[ 70.00]	94.00
(8)	10,001 lbs. to and including 11,000 lbs.	[ 80.00]	107.00
(9)	11,001 lbs. to and including 12,000 lbs.	[ 90.00]	120.00
(10)	12,001 lbs. to and including 13,000 lbs.	[100.00]	134.00
(11)	13,001 lbs. to and including 14,000 lbs.	[110.00]	147.00
(12)	14,001 lbs. and over	[120.00]	160.00

(d) For any motor vehicle having three or more axles or for any trailer, semitrailer, pole or pipe dolly, or other dolly designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight		Fee	
(1)	2,000 lbs. to and including 3,000 lbs.	[\$8.00]	\$11.00
(2)	3,001 lbs. to and including 4,000 lbs.	[ 15.00]	20.00
(3)	4,001 lbs. to and including 5,000 lbs.	[ 30.00]	40.00
(4)	5,001 lbs. to and including 6,000 lbs.	[ 45.00]	60.00
(5)	6,001 lbs. to and including 7,000 lbs.	[ 60.00]	80.00
(6)	7,001 lbs. to and including 8,000 lbs.	[ 75.00]	100.00
(7)	8,001 lbs. to and including 9,000 lbs.	[ 90.00]	120.00
(8)	9,001 lbs. to and including 10,000 lbs.	[105.00]	140.00
(9)	10,001 lbs. to and including 11,000 lbs.	[120.00]	160.00
(10)	11,001 lbs. to and including 12,000 lbs.	[135.00]	180.00
(11)	12,001 lbs. to and including 13,000 lbs.	[150.00]	200.00
(12)	13,001 lbs. to and including 14,000 lbs.	[165.00]	220.00
(13)	14,001 lbs. to and including 15,000 lbs.	[180.00]	240.00
(14)	15,001 lbs. and over	[200.00]	267.00

#### Amendment No. 4

On page 3, line 14, of said bill, as amended, strike out "SEC. 11", and insert "SEC. 12".

#### Amendment No. 5

On page 3, lines 20 to 22, inclusive, of said bill, as amended, strike out "and designed, used or maintained primarily for the transportation of property".

#### Amendment No. 6

On page 3, lines 42 and 43, of said bill, as amended, strike out "and designed, used or maintained primarily for the transportation of property".

#### Amendment No. 7

On page 4, line 16, of said bill, as amended, strike out "SEC. 12", and insert "SEC. 13".

#### Amendment No. 8

On page 4, line 19, of said bill, as amended, after "and", insert "the increase in registration fees and".

#### Amendment No. 9

On page 4, line 19, of said bill, as amended, strike out "Section 11", and insert "Sections 11 and 12".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.





regular session quarters shall be computed on July 1st of each fiscal year. Only teachers having a rank not lower than Assistant Professor Class III, or the equivalent thereof in colleges or in college departments in which faculty members are not ranked on a professorial scale, shall be included in this computation, and not more than 5 percent of those eligible shall be granted leaves of absence with pay under one or a combination of the above plans during any one year.

(b) Leave of absence with pay in the amount of the difference between the salary of the teacher or instructor on leave and the salary of the person employed to fill the position of the teacher or instructor on leave may be granted to not more than 5 percent of the teachers and instructors having a rank not lower than Assistant Professor or the equivalent thereof in colleges or in college departments in which the faculty members are not ranked on the professorial scale, provided that in no event shall the total number of faculty members granted leaves of absence with pay of any kind exceed 5 percent of the teachers and instructors who have a rank not lower than Assistant Professor or the equivalent thereof in colleges or in college departments in which the faculty members are not ranked on the professorial scale.

SEC. 5. Section 20383 of said code is amended to read:

20383. [Except as otherwise provided in Section 20383.5 every member of the faculty] *Every teacher and instructor* of a state college granted a leave of absence [under this article] *with pay* may be required to perform such services during the leave of absence as the State Director of Education, with the approval of the State Director of Finance, and the [faculty members] *teachers or instructors* may agree upon in writing [and the faculty member shall receive as compensation for such services the difference between his salary and the salary of the person employed to fill the position held by him prior to the granting of the leave of absence].

SEC. 6. Section 20383.5 of said code is repealed.

SEC. 7. Section 20384 of said code is amended to read:

20384. Compensation granted [an employee] *a teacher or instructor* on leave of absence [under this article] *with full or part pay* may be paid in two equal annual installments during the first two years of service rendered in the employ of the state college, following the return of the [employee] *teacher or instructor* from the leave of absence. The compensation shall be paid the [employee] *teacher or instructor* while on leave of absence in the same manner as if the [employee] *teacher or instructor* were serving in the college, upon the furnishing by the [employee] *teacher or instructor* of a suitable bond indemnifying the State of California against loss in the event the [employee] *teacher or instructor* fails to render at least two years service in the college, following the return of the [employee] *teacher or instructor* from the leave of absence. The bond shall be exonerated in the event the failure of the [employee] *teacher or instructor* to return[,] and render two years of service is caused by death or physical or mental disability of the [employee] *teacher or instructor*. If the State Board of Education finds and by resolution declares that the interests of the State of California will be protected by the written agreement of the [employee] *teacher or instructor* to return to the service of the college and render at least two years service therein following his return from the leave of absence, the State Board of Education, in its discretion may waive the furnishing of the bond and order payment of the [employee] *teacher or instructor* on leave of absence in the same manner as though a bond [is] were furnished.

SEC. 8. Section 20385 of said code is amended to read:

20385. At the expiration of the leave of absence of the [employee] *teacher or instructor*, he shall, unless he otherwise agrees, be reinstated in the position held by him at the time of granting the leave of absence.

SEC. 9. Section 20386 of said code is amended to read:

20386. The State of California and the officers and employees thereof shall be freed of any liability for the payment of any compensation or damages provided by law for the death or injury of any [employee] *teacher or instructor* of the state college when the death or injury occurs while the [employee] *teacher or instructor* is on leave of absence [granted under the provisions of this article] *with full or part pay*."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1979

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL CRUM, Assistant Clerk

## ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Joint Resolution No. 24** - Relative to the compensation of postal employees.

Referred to Committee on Labor.

## MESSAGES FROM THE ASSEMBLY

## ASSEMBLY CHAMBER, Sacramento, April 2, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 83  
Assembly Bill No. 386  
Assembly Bill No. 558  
Assembly Bill No. 699  
Assembly Bill No. 781  
Assembly Bill No. 822  
Assembly Bill No. 825  
Assembly Bill No. 969  
Assembly Bill No. 1174  
Assembly Bill No. 1210

Assembly Bill No. 1223  
Assembly Bill No. 1235  
Assembly Bill No. 1296  
Assembly Bill No. 1564  
Assembly Bill No. 1941  
Assembly Bill No. 2537  
Assembly Bill No. 2912  
Assembly Bill No. 2989  
Assembly Bill No. 3114

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 83**—An act making an appropriation for family care of patients, Department of Mental Hygiene, to take effect immediately.

Referred to Committee on Finance.

**Assembly Bill No. 386**—An act to amend Sections 27061 and 27062 of the Government Code, and to add Section 27012 thereto, relating to county treasurers.

Referred to Committee on Local Government.

**Assembly Bill No. 558**—An act to amend Section 212 of the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 699**—An act to amend Section 417 of the Education Code, relating to county superintendents.

Referred to Committee on Local Government.

**Assembly Bill No. 781**—An act to add Section 794 to the Civil Code, relating to the termination of mineral leases.

Referred to Committee on Judiciary.

**Assembly Bill No. 822**—An act to amend Section 6804 of the Education Code, relating to absence of pupils.

Referred to Committee on Education.

**Assembly Bill No. 825**—An act to amend Section 18056 of the Education Code, relating to repairs and alterations of school buildings.

Referred to Committee on Education.

**Assembly Bill No. 969**—An act to amend Section 3300.5 of the Health and Safety Code, relating to the tuberculosis subsidy from the State to cities, counties and cities and counties.

Referred to Committee on Finance.

**Assembly Bill No. 1174**—An act to add Sections 5821.1, 5821.2, and 5824.1 to, and to amend Sections 5825 and 5829 of, the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1210**—An act to amend Section 3800 of the Labor Code, relating to construction permit requirements.

Referred to Committee on Labor.

**Assembly Bill No. 1223**—An act to amend Sections 96 and 4900 of the Labor Code, relating to assignments to the Labor Commissioner.

Referred to Committee on Labor.

**Assembly Bill No. 1235**—An act to amend Sections 9540, 9540.5, 9550, and 9580 of and to add Sections 9505.2, 9546, and 9598.5 to the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1296**—An act to amend Section 1262 of the Agricultural Code, relating to transactions involving farm products.

Referred to Committee on Agriculture.

**Assembly Bill No. 1564**—An act to add Section 227 to the Labor Code, relating to payments by employers into employee benefit funds.

Referred to Committee on Labor.

**Assembly Bill No. 1941**—An act to add Section 102 to, and to amend Sections 301, 311, 452, 626, 628.5, 632, 1701, and 2627 of the Unemployment Insurance Code, relating to unemployment and disability compensation.

Referred to Committee on Labor.

**Assembly Bill No. 2537**—An act to amend Section 1071 of the Agricultural Code, relating to economic poison registration and license fees therefor.

Referred to Committee on Agriculture.

**Assembly Bill No. 2912**—An act to amend Sections 102 and 104 of the Health and Safety Code, relating to the State Board of Public Health.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2989**—An act to amend Section 1 of Chapter 269 of the Statutes of 1921 and to amend Section 1418 of, and add Section 1420 to, the Penal Code, relating to disposition of exhibits in criminal cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 3114**—An act to add Section 477.6 to the Vehicle Code, relating to traffic signals.

Referred to Committee on Transportation.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 326

Senate Bill No. 1228

Senate Bill No. 569

Senate Bill No. 1467

Senate Bill No. 733

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 266

And reports the same correctly re-engrossed.

POWERS, Chairman

##### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 2503

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; noes 1; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 12; noes 1.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 483

Assembly Bill No. 621

Senate Bill No. 1643

Assembly Bill No. 622

Senate Bill No. 1679

Assembly Bill No. 623

Assembly Bill No. 306

Assembly Bill No. 2505

Assembly Bill No. 307

Assembly Bill No. 2507

Assembly Bill No. 544

Assembly Bill No. 2526

Assembly Bill No. 545

Assembly Bill No. 2535

Assembly Bill No. 546

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills ordered to second reading.



SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 770

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1503

Senate Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 13.

WEYBRET, Chairman

Above reported bills ordered to second reading.

#### ADJOURNMENT

At 12.05 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, April 6, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

FIFTY-FIFTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 6, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—32.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Harold T. Johnson, on motion of Senator Powers, due to legislative business.

Senator Hoffman, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Ward, on motion of Senator Powers, due to legislative business.

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Sutton, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senators Tenney and Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Larry Walden and Miss Janice Walden of Susanville.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mary Baynes of Mount St. Mary's College; Lewis Silverberg of Long Beach, and Richard Wilsdon of Sacramento.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Hallinan of Sacramento.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Davis of Santa Rosa.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Girl Scout Troop 154 of Berkeley; Edward Larmer of Walnut Creek; Howard Greenhalgh and Vance Perry of Alameda County, and Donald C. Allen of Oakland.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Barbara Buechner, Alyce Sunseri, Joan Compton, Floraine Ciraulo, Ignatius Ciraulo, and Judith Sunseri of Santa Clara County.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Glen and Duncan McDougal of Yuba County.

**PLEDGE OF ALLEGIANCE**

Senator Dilworth led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

**• MESSAGES FROM THE GOVERNOR**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 6, 1953

*To the Senate of the State of California  
Sacramento, California*

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Senate Bill No. 49**, entitled: "An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards declaring the urgency thereof, to take effect immediately."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Jess R. Dorsey, Member of the Senate, at 1:10 o'clock p.m. on the fourth day of April, 1953, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

**EARL WARREN, Governor**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 3, 1953

*To the Honorable Members of the Senate  
State of California  
Sacramento, California*

GENTLEMEN: I am returning herewith, without my signature, **Senate Bill No. 49**, entitled: "An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards declaring the urgency thereof, to take effect immediately."

This bill is being returned at the request of the author, who has advised me that its sponsors no longer desire it to become law.

Respectfully submitted,

**EARL WARREN, Governor**

Message read.

Senate Bill No. 49 ordered to the unfinished business file.



## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 787  
Assembly Bill No. 1458

Assembly Bill No. 1467  
Assembly Bill No. 1470

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 553

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 683  
Senate Bill No. 736  
Senate Bill No. 820  
Senate Bill No. 951

Senate Bill No. 1135  
Senate Bill No. 1232  
Senate Bill No. 1527

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered enrolled.

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 642

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 57  
Senate Bill No. 77  
Senate Bill No. 151  
Senate Bill No. 157  
Senate Bill No. 190  
Senate Bill No. 224  
Senate Bill No. 359  
Senate Bill No. 691

Senate Bill No. 777  
Senate Bill No. 782  
Senate Bill No. 822  
Senate Bill No. 941  
Senate Bill No. 1363  
Senate Bill No. 1444  
Senate Bill No. 1634

Senate Concurrent Resolution No. 16

And reports the same correctly engrossed.

POWERS, Chairman

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1163**

Senator Coombs moved that Senate Bill No. 1163 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1163**—An act to amend Sections 11550 and 11552 of the Government Code and Section 211 of the Financial Code, relating to the salary and term of the office of Superintendent of Banks.

Bill read second time.

**Motion to Amend**

Senator Coombs moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "11550", and insert "11551".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 11551 of the Government Code is amended to read: 11551. An annual salary of sixteen thousand dollars (\$16,000) shall be paid to each of the following:

- (a) Director of Public Works.
- (b) Director of Mental Hygiene.
- (c) State Controller.
- (d) Superintendent of Banks."

**Amendment No. 3**

On page 1, line 12, of said bill, strike out "(d)", and insert "(b)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Senate Journals for Monday, March 30, 1953; Tuesday, March 31, 1953; Wednesday, April 1, 1953; Thursday, April 2, 1953; and Friday, April 3, 1953, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

**MOTION TO TAKE BILL FROM INACTIVE FILE**

Senator Montgomery moved that Senate Bill No. 1941 be taken from the inactive file and placed on the second reading file.

Motion carried.

**ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bills Nos. 1643, 1679, 1634, 483, and Assembly Bills Nos. 546 and 622 carry an appropriation.

The President ordered Senate Bills Nos. 1643, 1679, 1634, 483, and Assembly Bills Nos. 546 and 622 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 470**—An act to add Article 2.5 to Chapter 6 of Division 4 of the Agricultural Code, relating to frozen dairy products and imitations thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in Senate March 31, 1953, strike out “, and only those”, and strike out lines 9 and 10 and insert “are frozen dairy products.”

**Amendment No. 2**

On page 1, line 17, of said bill, as amended, after “ter”, insert “, or pursuant to Section 441,”.

**Amendment No. 3**

On page 1, line 20, of said bill, as amended, strike out “of”, and insert “relating to imitation ice cream and imitation ice milk in”.

**Amendment No. 4**

On page 1, line 21, of said bill, as amended, strike out “relating to imitation ice cream and imitation ice milk”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 770**—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out “Section 736.3 of”, and insert “Sections 4314, 4315, and 4316 of, and to add Sections 4316.5 and Article 8.5 to Chapter 17 of Division 6 of”.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out line 1, and insert

“SECTION 1. Section 4314 of the Agricultural Code is amended to read:

4314. If the program is instituted by producers the director is hereby empowered to require producers to pay assessments of not more than [two mills (\$0.002)] *five mills (\$0.005)* per pound milk fat, or if the program is instituted upon a gallonage basis not more than [seven mills (\$0.007)] *eighteen mills (\$0.018)* for each 10 gallons of fluid milk received by distributor, including the production of distributors who are also producers.

SEC. 2. Section 4315 of said code is amended to read:

4315. If the program is instituted by distributors the director is hereby empowered to require distributors to pay assessments of not more than [two mills (\$0.002)] *five mills (\$0.005)* per pound milk fat, or if the program is instituted upon a gallonage basis not more than [seven mills (\$0.007)] *eighteen mills (\$0.018)* for each 10 gallons of fluid milk received by distributors, including the production of distributors who are also producers.

SEC. 3. Section 4316 of said code is amended to read:

4316. If the program is instituted by both producers and distributors, the director is hereby empowered to require both producers and distributors to pay assessments for the purpose of providing funds for formulating, administering, and carrying on such program. The assessment *s* to be paid by distributors shall not exceed [two mills (\$0.002)] *five mills (\$0.005)* per pound milk fat, or if the program is instituted upon a gallonage basis not more than [seven mills (\$0.007)] *eighteen mills (\$0.018)* for each 10 gallons of fluid milk received by distributors including the production of distributors who are likewise producers. Assessments of not more than [two mills (\$0.002)] *five mills (\$0.005)* per pound milk fat, or if the program is instituted upon a gallonage basis, not more than [seven mills (\$0.007)] *eighteen mills (\$0.018)* for each 10 gallons of fluid milk produced by producers and received by distributors, shall likewise be paid by producers. In no instance shall the combined assessments exceed [four mills (\$0.004)] *ten mills (\$0.010)* per pound milk fat, or if the program is instituted upon a gallonage basis not more than [fourteen mills (\$0.014)] *thirty six mills (\$0.036)* for each 10 gallons of fluid milk received from producers and processed by distributors for distribution in the marketing area in the form of whole milk, fluid cream, or manufactured dairy products derived from fluid milk.

SEC. 4. Section 4316.5 is added to said code, to read:

4316.5. Section 4314, 4315, and 4316 shall apply only to programs instituted under this article on or after the effective date of this section. The assessments for any program in effect under this article prior to said effective date shall continue to be as provided in said program unless and until modified as provided in Article 8.5 of this chapter.

SEC. 5. Article 8.5 is added to Chapter 17 of Division 6 of said code, to read:

Article 8.5. Amendment and Extension of Sales Stimulation and Consumer Education Programs

4325. Any program heretofore or hereafter instituted under Article 8 of this chapter may be amended to change the amount of the assessments, or to extend the period during which the program is to remain in effect, in the manner provided in this article.

4325.5. The persons administering such a program may make application to the director for a referendum on the question of changing the amounts of the assessments under the program, or the question of extending the period the program is to remain in effect, or on both such questions. If the application relates to a change in the assessments it shall state the maximum amounts to which the assessments are to be changed. If the application relates to the extension of a program it shall specify the date to which the program is to be extended. The maximum assessments shall in no event exceed those specified in Sections 4314, 4315, and 4316.

4326. Upon receipt of such an application the department shall prepare a ballot in substantially the form prescribed by this section:

BALLOT  
MARKETING AREA—SALES STIMULATION AND  
CONSUMER EDUCATIONAL PROGRAM

If the application is for a change in the amounts of the assessments under the program the ballot shall contain substantially the following:

"Shall the assessments under this program be increased from \_\_\_\_\_ mills to \_\_\_\_\_ mills per pound milk fat (or from \_\_\_\_\_ mills to \_\_\_\_\_ mills for each 10 gallons)? Yes \_\_\_\_\_ No \_\_\_\_\_

If the application is for an extension of the period during which the program is to continue the ballot shall contain substantially the following:

Shall the termination date of the program be extended from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_? Yes \_\_\_\_\_ No \_\_\_\_\_

If the application is for both a change in the amounts of the assessments and an extension of the effective period of the program the ballot shall contain both questions.

Below the question or questions shall appear blanks for the signature and address of the producer, distributor, or producer-distributor.

4326.5. The ballots shall be mailed to each person from whom assessments are being collected under the program as shown by the then current records of the department. The ballots shall contain or be accompanied by instructions to the persons eligible to vote as to how to mark the ballots. The instructions shall contain a statement that in order to be counted the ballots must be received by the department not later than a date specified in such instructions. The date shall be determined by the department but shall not be less than 30 days after the mailing of the ballots by the department.

4327. Upon the expiration of the period during which ballots may be received the department shall determine the result. If the program affects producers only the affirmative vote of not less than 65 percent of the producers voting on a question is required in order that the change may be made effective. If the program affects distributors only the affirmative vote of not less than 65 percent of the distributors voting on the question is required in order that the change may be made effective. If the program affects both producers and distributors the affirmative vote of each as above provided shall be necessary.



4327.5. If the director determines that a sufficient vote has been cast in the affirmative upon the question or questions submitted pursuant to this article he shall, by order, declare the change in the program effective. A change in the rates of assessments shall become operative for the assessments for the next month following the order declaring the change effective."

**Amendment No. 3**

On page 1 of said bill, strike out lines 2 to 27, inclusive, and strike out all of pages 2 to 8, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1503**—An act to amend Section 342.2 of the Agricultural Code, relating to marks and brands.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "342.2", and insert "337".

**Amendment No. 2**

On page 1, line 1, of said bill, strike out "342.2", and insert "337".

**Amendment No. 3**

On page 1 of said bill, strike out lines 3 to 11, inclusive, and insert

"337. It is the ultimate object of this chapter to provide for state-wide recordation of brands with the entire State as one branding district. To conform to this objective, all applications for the recordation of a brand on and after the effective date of this chapter shall be accepted by the chief only when not in conflict with any other recorded brand in this State. On and after January 1, 1959, the right to use any brand which conflicts with any brand having a prior recordation *by a resident of this State* under the provisions of this chapter shall be forfeited, and all recordations thereafter shall be on a state-wide basis."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1684**—An act to amend Section 106.1 of the Agricultural Code, relating to plant quarantine and pest control.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Agriculture:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 106.1", and insert "Sections 106.1 and 110.5".

**Amendment No. 2**

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 110.5 of the Agricultural Code is amended to read:

110.5. The Regents of the University of California may collect and, *subject to the provisions of Section 110*, import into this State from foreign countries, parasitic and predaceous insects for use in the control of insect pests of horticultural and agricultural crops and of livestock, and for this purpose may employ and send abroad experts who shall be allowed, in addition to their compensation, their necessary subsistence, traveling and other expenses incidental to the performance of their duties."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2503**—An act to add Sections 332.5, 334.6, 336.10, 336.11, 338, 338.1, 364.9, and 369 to, to amend Sections 331.8, 336.4, 336.6, 336.9, 337, 337.1, 337.2, 337.3, 337.4, 344.1, 346.1, 346.2, 348, 348.6, 348.8, 349.2, 349.4, 349.7, 349.8, 349.9, 360, 360.2, and 368 of, the Agricultural Code, and to repeal Sections 344.2, 344.3, 344.4, 344.5, 344.6, 360.3, and Article 16 of Chapter 2 of Division 3 of said code, all relating to hide and brand inspection and slaughter of cattle.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 306**—An act to amend Section 123 of the Agricultural Code, relating to nursery stock manifests.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 307**—An act to amend Section 122 of the Agricultural Code, relating to nursery stock certificates.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 544**—An act to add Section 563.5 to the Agricultural Code, relating to standards and definition for yogurt sherbet.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 545**—An act to add Section 639.5 to the Agricultural Code, relating to standards and labeling for eggnog.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 621**—An act to amend Sections 796.1, 796.2, 828.83, and 829.1 of and to add Section 196.6 to the Agricultural Code, relating to fruit and vegetable standards and containers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 623**—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts, or vegetables.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2505**—An act to amend Sections 380.51, 380.55, 380.56, 380.58, 38.62, and 380.70 of, and to repeal Sections 380.52 and 380.57 of the Agricultural Code, relating to hide and brand inspection and slaughter of animals other than bovine animals.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2507**—An act to amend the heading of Chapter 7 of Division 3 of, and to amend Sections 435 and 436 of, the Agricultural Code, relating to unlawful marking, branding and transporting of live-stock or carcasses thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2526**—An act to amend Sections 1010, 1011, and 1012 of the Agricultural Code, relating to spray residue.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2535**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Bill read second time, and ordered to third reading.

#### MOTIONS TO RECONSIDER

**Senate Bill No. 133**—An act to amend Sections 16.3, 19.6, and 39.1 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

##### Motion to Reconsider Senate Bill No. 133

Pursuant to his motion previously made, Senator Desmond moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 133 was passed.

The roll was called, and Senate Bill No. 133 refused reconsideration by the following vote:

AYES—Senators Abshire, Berry, Byrne, Collier, Desmond, Donnelly, Grunsky, Hulse, Murdy, and Tenney—10.

NOES—Senators Brown, Burns, Coombs, Cunningham, Erhart, Gibson, Hatfield, Ed. C. Johnson, McCarthy, Montgomery, O'Gara, Powers, Thompson, Way, Weybret, and Williams—16.

Senate Bill No. 133 ordered transmitted to the Assembly.

#### UNFINISHED BUSINESS

##### Consideration of Assembly Amendments

**Senate Bill No. 29**—An act to amend Section 274 of the Agricultural Code, relating to the importation of bees, used hives or appliances, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 29?

##### Amendment No. 1

On page 1, line 5, of the printed bill, after "empty", insert "moving screens, bee smokers, bee veils, and hive tools".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 29 by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, Weybret, and Williams—28.

NOES—None.

Above bill ordered enrolled.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 642**—An act to add Section 605.5 to the Probate Code, and to add Section 14501.5 to the Revenue and Taxation Code, relating to inheritance tax and probate appraisers.

##### Motion to Refer Bill to Inactive File

Senator Grunsky moved that Senate Bill No. 642 be placed on the inactive file.

Motion carried.

## REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to have Senate Bill No. 1010 passed on file, and retain its place on file.

**Senate Bill No. 1770**—An act to repeal Chapter 1, comprising Sections 1200 to 1251, inclusive, of Division 2 of the Health and Safety Code and to add Chapter 1 comprising, Sections 1200 to 1237, inclusive, to Division 2 of said code, relating to the regulation and licensing of clinics and dispensaries.

Bill read third time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 27 to 30, inclusive.

**Amendment No. 2**

On page 2, line 35, of said bill, after "agencies", insert "or by this State, or by any of its political subdivisions or districts, or by any city".

**Amendment No. 3**

On page 2, line 46, of said bill, after "optometry", insert "or chiropody".

**Amendment No. 4**

On page 2, line 49, of said bill, before "or", insert "chiropody".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1467**—An act to amend Section 8121.5 of, and to add Chapter 14 to Part 2 of Division 9 of, the Streets and Highways Code, relating to separation of grade districts.

Bill read third time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate April 2, 1953, after line 19, insert "8282. The procedure prescribed in this chapter shall be the exclusive method of formation of such district and of annexation of territory to a district."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 569**—An act to add Sections 31031 and 31032 to the Water Code, relating to county water districts and to the Coachella Valley County Water District, declaring the urgency thereof, to take effect immediately.

**Motion to Refer Bill to Inactive File**

Senator Dilworth moved that Senate Bill No. 569 be placed on the inactive file.

Motion carried.

**Senate Bill No. 941**—An act to add Section 803.1 to the Fish and Game Code, relating to razor clams, and declaring the urgency thereof, to take effect immediately.

Bill read third time.



## Urgency Clause

Urgency clause read.  
The roll was called.

## Call of the Senate

Pending the announcement of the vote, Senator Way moved a call of the Senate.

Motion carried. Time, 2.25 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 782**—An act to repeal Section 2 of Chapter 1042 of the Statutes of 1951, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, and Weybret—24.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 224**—An act to amend Section 803 of the Fish and Game Code, relating to clams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, Weybret, and Williams—25.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 57**—An act to add Section 665 to the Fish and Game Code, relating to commercial fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, Weybret, and Williams—26.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Concurrent Resolution No. 16**—Relative to a survey of state utilization of a microwave or wire line system of communications.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, Weybret, and Williams—29.  
NOES—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 777**—An act to add Section 1157 to the Health and Safety Code, relating to local public health administration.

Bill read third time, and presented by Senator Brown.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System.

**Motion to Set Special Order**

Senator Hatfield moved that Senate Bill No. 1061 be made a special order of business for Wednesday, April 8, 1953, at 3 p.m.

Motion carried.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 799 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1363**—An act to add Section 156 to the Business and Professions Code, relating to contracts of the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Powers, Tenney, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1757**—An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1757:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 27, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 1757**, "An act to amend Section 14030 of the Government Code, relating to the Division of Architecture Revolving Fund, declaring the urgency thereof and providing that this act shall take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill would permit the moneys in the Division of Architecture Revolving Fund to be used for construction projects where the Federal Government is contributing a part of the cost. Under present law the Federal Government cannot contribute its proportionate cost of the project until the project is completed, and the State cannot undertake the project until the money is available; therefore, there is an impasse which must be solved by the enactment of this bill.

I therefore recommend consideration of Senate Bill No. 1757 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3 p.m., on motion of Senator Way, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 941 was adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

#### RECESS

At 3.03 p.m., on motion of Senator Thompson, the Senate recessed for the purpose of allowing Senator Thompson to introduce some distinguished guests.

Senator Thompson escorted Miss Barbara Buechner and Mrs. Alyce Sunseri to the rostrum, and introduced them to the Senate.

Miss Buechner, who has just recently won a \$500 award and a trip to Sacramento for her essay entitled "Why You Should Own Your Own Home," and who last year won \$1,000, plus a trip to New York City, for

her essay entitled "Sewing Is a Career." Miss Buechner addressed the Senate briefly. Senator Thompson also introduced to the Senate Mrs. Alyce Sunseri, member of the San Jose Realty Board.

#### REASSEMBLED

At 3.07 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 3.08 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE

#### CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 104**—An act to amend Sections 14720.1 and 14720.2 of the Education Code, relating to school district retirement salary plans.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Burns, Byrne, Cunningham, Desmond, Dorsey, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Montgomery, Murd., O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—21.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### Chief Assistant Secretary Cleve V. Taylor at the Desk

**Assembly Bill No. 496**—An act to add Section 13831.1 to the Education Code, relating to salaries of persons employed by a school district in positions requiring certification qualifications.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McCarthy, Miller, Montgomery, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—21.

**NOES**—Senators Berry and Murdy—2.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 849**—An act to amend Sections 18051 and 18053 of the Education Code, relating to school district contracts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Gibson, Grunsky, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—Senator Dorsey—1.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 2763**—An act to add Section 14740.1 to the Education Code, relating to deductions from school district retirement salaries.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1159**—An act to amend Section 18730 of the Business and Professions Code, relating to boxing contests, and sparring or wrestling matches.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 876**—An act to amend Section 59 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) and Section 25630 of the Business and Professions Code, relating to sales on Election Day.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Miller, Montgomery, Parkman, Powers, Tenney, Thompson, Way, and Weybret—23.

NOES—Senators Dilworth, Donnelly, and Murdy—3.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2425**—An act to amend Section 9355 of the Government Code, relating to the Legislators' Retirement System.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 267**—An act to amend Section 3208 of the Labor Code, relating to workmen's compensation.

Bill read third time and presented by Senator Miller.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Donnelly, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1876**—An act to codify Chapter 296 of the Statutes of 1939, Chapter 1173 of the Statutes of 1951 and the Wildlife Conservation Act of 1947, by repealing said chapters and act and adding Division 6 to the Fish and Game Code, relating to wild life conservation, propagation, management and utilization and recreational facilities connected therewith.

Bill read third time, and presented by Senator Brown.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1876:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1876**, "An act to codify Chapter 296 of the Statutes of 1939, Chapter 1173 of the Statutes of 1951 and the Wildlife Conservation Act of 1947, by repealing said chapters and act and adding Division 6 to the Fish and Game Code, relating to wild life conservation, propagation, management and utilization and recreational facilities connected therewith,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1937**—An act to add Article 1 to Chapter 5 of Part 2, Division 1, of the Unemployment Insurance Code, relating to the Disability Fund.

Bill read third time, and presented by Senator Brown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending passage of Assembly Bill No. 1937:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, February 25, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1937**, "An act to add Article 1 to Chapter 5 of Part 2, Division 1, of the Unemployment Insurance Code, relating to the Disability Fund," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1938**—An act to add Article 4 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Department of Employment Contingent Fund.

Bill read third time, and presented by Senator Brown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1938:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1938**, "An act to add Article 4 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Department of Employment Contingent Fund," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Tenney, Thompson, Way, Weybret, and Williams—31.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1939**—An act to add Article 3 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Administration Fund.

Bill read third time, and presented by Senator Brown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1939:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1939**, "An act to add Article 3 to Chapter 6 of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Administration Fund,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before the final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1940**—An act to add Article 2 to Chapter 6, of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Unemployment Fund.

Bill read third time, and presented by Senator Brown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1940:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, February 25, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1940**, "An act to add Article 2 to Chapter 6, of Part 1, Division 1, of the Unemployment Insurance Code, relating to the Unemployment Fund,"



in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1942**—An act to add Section 1535 to the Unemployment Insurance Code, relating to the Unemployment Fund.

Bill read third time, and presented by Senator Brown.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1942:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 2, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 1942**, "An act to add Section 1535 to the Unemployment Insurance Code, relating to the Unemployment Fund,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill has been submitted by the California Code Commission as a codification of existing law. The Legislative Counsel advises me, however, that it contains an appropriation and therefore may not be enacted before final adoption of the budget without a letter from me.

It is desirable that this measure be enacted early in the session, and I therefore recommend its consideration before final action on the budget.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3418**—An act to amend Sections 3 and 5 of Chapter 14 of the 1952 Second Extraordinary Session, relating to the emergency use of prison labor in earthquake areas, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dorsey.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 3418:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 12, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 3418**, "An act to amend Sections 3 and 5 of Chapter 14 of the 1952 Second Extraordinary Session, relating to the emergency use of prison labor in earthquake areas, making an appropriation, and declaring the urgency thereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill would reappropriate a portion of an earlier appropriation which was not used and which has now lapsed.

I therefore recommend consideration of Assembly Bill No. 3418 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 603**—An act to add Section 34.7 to the Agricultural Code, relative to livestock and poultry disease diagnostic laboratories.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 839**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read third time, and presented by Senator Abshire.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1129**—An act to amend Sections 34.6, 120, 120.5, and 121 of the Agricultural Code, relating to the commingling of nursery license, plant certification and identification record fees and the listing of nursery licensees.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1784**—An act to amend Section 6720 of, and to add Section 6722 to, the Welfare and Institutions Code, relating to escape from a state hospital or Veterans' Administration hospital or facility.

#### **Motion to Refer Bill to Inactive File**

Senator Montgomery moved that Assembly Bill No. 1784 be placed on the inactive file.

Motion carried.

**Assembly Bill No. 1785**—An act to amend Section 6652 of the Welfare and Institutions Code, relating to charges for services furnished by the Department of Mental Hygiene.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### **MOTION TO PRINT OPINION OF LEGISLATIVE COUNSEL BUREAU IN THE JOURNAL**

Senator Dorsey moved that the following opinion of the Legislative Counsel Bureau regarding County Sanitation District Bonds be printed in the Journal:

Motion carried.

#### **OPINION OF LEGISLATIVE COUNSEL BUREAU**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, April 4, 1953

*Hon. F. Presley Abshire*  
*Senate Chamber*

*County Sanitation District Bonds—No. 8067*

DEAR SENATOR ABSHIRE: You have asked for information in regard to Assembly Bill No. 13, as amended in Senate March 26, 1953, relating to the proposal in the bill to require only a majority vote, instead of two-thirds vote, for the approval of the issuance of bonds by county sanitation districts.

The information requested is in two parts, namely, could the results desired by the bill be accomplished by means of any other existing bond issue provisions requiring only a majority vote, and, are there any present provisions in the law requiring only a majority vote to approve the issue of general obligation bonds.

As to the first part of the request, the purpose of county sanitation district is to acquire, construct, maintain, or operate, sewerage collection, treatment and disposal systems, and, refuse collection and disposal systems (Sections 4741 and 4742 of the Health and Safety Code). However, the urgency clause of Assembly Bill No. 13 contemplates "the construction of sewers and sewerage disposal facilities," so that in considering other applicable laws, we may assume that we need not be concerned with the matter of refuse collection and disposal systems.

We have found only the following laws, both of which are referred to in our letter of April 1, 1953, that authorize bonds for sewerage purposes, and require only a majority vote for their approval.

Chapter 5, "Sewer Revenue Bonds," of Division 5, Part 3, of the Health and Safety Code, relating to sewer revenue bonds, permits any "district which is authorized to acquire, construct, own, or operate a sewer system" to issue bonds (Sections 4951, 4966(b), and Article 4). An election is required only if a petition is filed by property owners requesting that the proposition be submitted to an election (Section 4975). Only a majority vote would seem to be required since no other provisions are made (Section 4976).

The Sanitation, Sewer, and Water Revenue Bond Law of 1941 (Sections 54300 to 54672 of the Government Code) is also applicable. It permits any "district which is authorized to acquire, construct, own, or operate a sewer system" (Section 54307) to acquire, construct, or improve any enterprise (Sections 54340 and 54341), and "enterprise" is defined to mean "a system, plant, works, or undertaking used for or useful in collection, treatment, and disposal of waste, refuse, and garbage, or sewage, waste, and storm water" (Section 54309). This law authorizes the issue of revenue bonds subject to an election (Section 54380), and only a majority of votes is required to authorize the issuance of the bonds (Section 54386).

As to the second part of your inquiry, whether there are any present provisions in the law requiring only a majority vote to approve the issue of general obligation bonds, we refer you to the following provisions which seem to permit this. There are three provisions in the Health and Safety Code, Section 14092 (fire protection districts in unincorporated areas), Section 14350 (metropolitan fire protection districts), and Section 14495.5 (county fire protection districts), and Section 6501 of the Harbors and Navigation Code (recreational harbor districts).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By A. BEN JACOBSON, Deputy

Two copies to Hon. Ernest R. Geddes, pursuant to Joint Rule 34.



**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.20 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1015**

Senator Tenney moved that Senate Bill No. 1015 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1015**—An act amending Section 31641 of, and adding Sections 31470.7, 31478, 31479, 31563, 31641.1, 31641.2, 31641.3, 31641.4, 31641.6, 31641.7, 31641.8, and 31641.9 to the Government Code, relating to retirement systems.

Bill read second time.

**Motion to Amend**

Senator Tenney moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "31641.1," insert "31641.15,".

**Amendment No. 2**

On page 2 of said bill, between line 12 and 13, insert

"Sec. 65. Section 31641.15 is added to the Government Code, to read:  
31641.15. Whenever a county has established in the county service a position the functions and duties of which are the same as or substantially similar to those of a position not theretofore within the county service, and the person theretofore employed in the position not within the county service has entered county employment in and upon the establishment of the county position, time the person was employed in the former position not within the county service shall be deemed to be public service for the purposes of Sections 31641.1 to 31641.7, inclusive."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1069**

Senator Williams moved that Senate Bill No. 1069 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1069**—An act to amend Sections 1065, 1066, 1067, and 1071 of, to add Sections 1065.5 and 1066.5 to, and to repeal Section 1070 of, the Fish and Game Code, relating to fish, and declaring the urgency thereof.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "amend Sections 1065, 1066, 1067, and 1071 of, to add Sections 1065.5 and 1066.5 to, and to repeal Section 1070", and insert "add Article 4.5 to Chapter 5 of Part 2 of Division 4".

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Article 4.5 is added to Chapter 5 of Part 2 of Division 4 of the Fish and Game Code, to read:

**Article 4.5. Sardines, Anchovies, and Mackerel**

1083. The provisions of this article shall, unless sooner repealed, remain in effect until June 1, 1955. During the time that this article is in effect, the provisions of Sections 741, 1065, 1070, and 1071 shall be inoperative. Likewise during the time that this article is in effect, the provisions of Sections 1064, 1066, and 1067 of this code, insofar as they apply to sardines, and Sections 1063 and 1068 of this code, insofar as they apply to sardines, jack mackerel, Pacific mackerel and/or anchovies, shall be inoperative.

1084. There is hereby delegated to the commission the authority to regulate the taking and use of sardines, jack mackerel, Pacific mackerel and anchovies to the extent and in the manner prescribed in this article.

The commission shall exercise its authority under this article by regulations made and promulgated pursuant to this article."

**Amendment No. 3**

On page 2 of said bill, strike out lines 1 to 52, inclusive, and insert

"1084.1. The commission shall hold two meetings annually for the purpose of setting the amounts of sardines, jack mackerel, Pacific mackerel and anchovies that may be taken during the ensuing season, as provided in Section 1087, and the length of the season for taking sardines as provided in Section 1086. The first meeting shall be held during May and shall be devoted to determining what quotas and season should be set. The second meeting shall be held during June of the same year, at which time the commission shall set quotas and dates for the ensuing season. Ten days prior to the June meeting the commission shall give notice of the quotas and dates that it intends to set. The May and June meetings shall be open to the public for the purpose of hearing recommendations or objections of any interested persons, and shall be preceded by a reasonable notice of the time and place thereof published in one newspaper of general circulation printed and published in San Francisco, Monterey, San Pedro, Long Beach, Los Angeles and San Diego. In addition, notices and minutes of such meetings shall be mailed to persons having filed a request therefor with the commission.

1084.5. The commission shall not restrict the taking, processing, or use of sardines, jack mackerel, Pacific mackerel or anchovies, except after a public hearing and upon a finding that any proposed restriction is necessary to promote the best interests of the people of the State in the utilization and conservation of the fish supply.

1085. Any regulations of the commission made pursuant to the authority vested in it by this article shall be state-wide in their application with respect to sardines, jack mackerel or Pacific mackerel.

1086. Sardines may be taken for use by a packer, or in a reduction plant or for use as dead bait, only between August 1st and March 31st, inclusive. The commission may at its June meeting shorten the time aforesaid; provided, that the time shall, in such instances, commence with August 1st and shall be not less than 90 continuous calendar days.

1086.1. Subject to the establishment of quotas as provided in this article, jack mackerel, Pacific mackerel and anchovies may be taken for use by a packer or as dead bait at any time. Subject to the establishment of quotas for live bait as provided in this article, jack mackerel, Pacific mackerel, anchovies and sardines may be taken for use as live bait at any time.

1086.2. Notwithstanding any other provisions of this code, sardines, jack mackerel, Pacific mackerel and anchovies taken lawfully during the open season may be possessed and used for bait during the closed season, under such regulations as the commission is hereby authorized to make.

1087. The commission may at its June meeting set the amounts of jack mackerel and/or Pacific mackerel and/or anchovies that may be taken by packers, or for use as dead bait, and the amount of sardines that may be taken by packers or in reduction plants or for use as dead bait during the season for each of such species as set by law, or, in the case of sardines, by the commission as provided by Section 1086 of this code. The commission shall not establish the amount of any such quotas which may be taken by any one person, shore establishment or vessel, or the amount thereof which must be devoted to any particular use.

Except in the case of the taking of any of the aforesaid species for use as live bait, the commencement date for the taking of any of said species under any quota established for that species shall be August 1st."

**Amendment No. 4**

On page 3 of said bill, strike out lines 1 to 6, inclusive, and insert

"1087.5. The commission may at any of its regular meetings during January or February determine what quota, if any, should be set upon the taking of sardines

and/or anchovies for use as live bait. At its next regular meeting following such determination the commission shall set the quotas, if any, on sardines and/or anchovies for use as live bait and shall determine the commencement date of such quotas.

1088. Until such time as the quota of sardine and/or Pacific mackerel is reached each packer and/or reduction plant shall report daily to the nearest office of the department or agency or persons designated by the department, the quantity of sardine and/or Pacific mackerel received. This report must be delivered to the nearest Fish and Game office, person or agency designated by the department by 9 a.m. on the following morning. The Pacific mackerel and sardine seasons shall close as specified in Sections 1065 and 1065.5 unless the department estimates the catch of Pacific mackerel and/or sardine shall have reached the quota prior to that date. In the latter event the department shall estimate from the current trend of catches the date on which the season's quota on either species will be reached and shall announce that date as the closing date of the season for the species concerned.

1089. The allowable percentage of any species of fish which may be mixed with other species of fish shall be determined by regulations which the commission is hereby authorized to adopt. These regulations shall set forth the method of sampling.

1089.1. The commission may make and enforce such regulations as may be necessary for carrying out any power, authority or jurisdiction conferred under this article.

1089.2. Nothing in this article shall be construed to give the commission the authority to make any regulations governing the taking of jack mackerel, Pacific mackerel and anchovies which will become effective prior to August 1, 1953.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The sardine, mackerel and anchovy fisheries are among the most important of the state's fishery industries, contributing greatly to the wealth and prosperity of the people and providing valuable food and by products. The sardine and Pacific mackerel have become progressively scarcer, causing distress to the industry, and the same scarcity may occur in the jack mackerel and anchovy fisheries. Immediate recovery of the distressed fisheries and maintenance of the others at a high level of productivity are essential to the well being of the State's industry. In order to provide for the regulation of the 1953 fisheries, which commence during the summer, it will be necessary for this bill to be effective as of May 15, 1953."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

#### Motion to Take Bill From the Inactive File

Senator Williams moved that Senate Bills Nos. 543, 542, 800, 266 and 799 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1640

Senator Hatfield moved that Senate Bill No. 1640 be withdrawn from Committee on Finance for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1640**—An act to add Article 5d to Chapter 6 of Division 4 of the Military and Veterans Code, relating to the investment of surplus funds in the Veterans' Farm and Home Building Fund of 1943, creating the Veterans Affairs Construction Fund and making an appropriation.

Bill read second time.

#### Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

#### Amendment No. 1

In line 5 of the title of the printed bill, as amended in Senate March 13, 1953, after "appropriation", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2 of said bill, as amended, after line 48, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The proper functioning of the State Government is necessary to the immediate preservation of the public peace, health and safety. The State Government cannot function properly unless adequate quarters are provided for government agencies, in which they can perform the duties required of them by law. Since the Department of Veterans Affairs will be without quarters or facilities to carry on its work unless the provisions of this act are enacted at the earliest possible date, it is necessary to the immediate preservation of the public peace, health and safety that this act go into immediate effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1763**

Senator Burns moved that Senate Bill No. 1763 be withdrawn from Committee on Education for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1763**—An act to add Sections 19442 and 19443 to the Education Code, relating to the use of public school property.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act creating a commission to make a study of public and private education above the grade of high school and of the administration, organization, appropriations and other financial support from public funds, of institutions of learning and public education above the grade of high school and to include junior colleges, state colleges, and the University of California, and making an appropriation therefor."

**Amendment No. 2**

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. There is hereby created a Commission on Higher Education which shall consist of 13 members appointed by the Governor as follows: one member from the State Board of Education, one member from the Regents of the University of California, two members from the boards of trustees or from the faculties of independent, nonprofit colleges or universities situated in Southern California, two members from the boards of trustees or from the faculties of independent, nonprofit colleges or universities situated in Northern California, the Superintendent of Public Instruction, the President of the University of California, and five members not directly connected with any public or nonprofit educational institution as trustee, faculty member, or employee.

Two Members of the Senate appointed by the Senate Committee on Rules, and two Members of the Assembly appointed by the Speaker, shall meet with and advise the commission to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature.

SEC. 2. The commission shall study and make a report to the Governor of

(a) The number of students attending the public and nonprofit educational institutions of California above the grade of high school, including the junior colleges, state colleges, and the University of California.

(b) The amount of funds, public and private, available to said institutions, whether from taxes, appropriations or other sources.

(c) The cost of the administration and the operation of said institutions of higher education including the costs of the repairs and maintenance of the buildings and overall plants of said institutions.

(d) The amount of public funds used in the operation of said institutions in carrying on the courses of study, and over and above the construction, maintenance and operating expenses of the educational plant and buildings.



(e) The total cost per student, and the cost in public funds of educating those who attend said educational institutions.

(f) An analysis for the past approximately 15 years of the total cost and the cost in public funds, on an annual basis, of the administration, operation, maintenance and construction of said institutions of higher education.

(g) An estimate of the cost of replacing the entire school plant of said institutions on present replacement value and including land, buildings, equipment, furniture, furnishings, and other facilities used in connection therewith. There need be no independent appraisal thereof, but said study and report may be based upon reports from the proper officers of said educational institutions as to the value of said plants based upon the present replacement costs as a whole.

(h) An estimate of available rooms and seating capacity of said institutions based on present need and availability and an estimate of property requirements of such room space and seating capacity for institutions above the grade of high school to the year 1960.

The commission shall make a separate study and report upon each of said institutions so far as practicable.

SEC. 3. The commission shall so far as is practicable complete its report on or before January 1, 1955, or have such further period as the Legislature by resolution may extend the existence of said commission.

SEC. 4. Vacancies upon said commission shall be appointed by the Governor from the group or groups as provided in Section 1.

SEC. 5. Members of the commission shall be paid reasonable and necessary traveling and living expenses in the discharge of their duties and shall be reimbursed from the public moneys appropriated for said purpose.

SEC. 6. The commission shall meet, appoint a chairman, vice chairman and secretary, and shall hold meetings at such times and places within the State of California as are deemed necessary by it for the purpose of making the said study and report as herein provided.

SEC. 7. The commission shall employ such person or persons to aid it in the discharge of its duties including the employment of analysts, secretaries, and such clerical help as may be necessary and shall fix the compensation for such employees and staff members.

SEC. 8. The sum of \$50,000 is hereby appropriated from the General Fund to be used by the commission in carrying out the purposes of this act."

#### Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive, and on page 2, strike out lines 1 to 49, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 745

Senator Thompson moved that Senate Bill No. 745 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 745**—An act to add Section 7150 to the Business and Professions Code, relating to building inspectors.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7150 to", and insert "Chapter 13 to Division 3 of".

#### Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Chapter 13 is added to Division 3 of the Business and Professions Code, to read:

#### CHAPTER 13. BUILDING INSPECTORS

##### Article 1. General Provisions

8001. This chapter of the Business and Professions Code constitutes the chapter on registered building inspectors in the branches of chief building inspector, building

inspector—general, building inspector—electrical, building inspector—plumbing, and building inspector-in-training. It may be cited as the Building Inspectors Registration Act.

8002. "Building inspector" refers to any person employed by any city, county, or city and county, who is engaged in the work of checking building plans, inspecting structural, electrical, and mechanical building construction on buildings constructed within the boundaries of the respective city, county, or city and county employing the building inspector, administering the functions of the building inspection department, or other related work connected with building inspection, requiring education, training and experience in the various crafts of the building trades and the application of special knowledge in interpretation and formulation of building code requirements pertaining to structural, electrical and mechanical work, and zoning laws.

8003. Only persons registered under the provisions of this chapter shall be entitled to take and use the title "registered building inspector" and, according to registration with the board, the titles "chief building inspector," "building inspector—general," "building inspector—electrical," "building inspector—plumbing," or "building inspector-in-training." The provisions of this act pertaining to registration of building inspectors in the branches of chief, general, electrical, and plumbing, apply only to persons employed by duly established building inspection departments within the corporate limits of any city, county, or city and county.

#### Article 2. Administration

8010. There is in the Department of Professional and Vocational Standards a State Board of Registration for Building Inspectors, which consists of five members appointed by the Governor. There shall be on the board two registered chief building inspectors, one registered general building inspector, one registered electrical inspector and one registered plumbing inspector.

8011. Each member of the board shall be a citizen of the United States and registered under this chapter, with at least 12 years active experience and of good standing in his profession. He shall be at least 30 years of age, and shall have been a resident of this State for at least five years immediately preceding his appointment.

8012. The term of office for each member of the board shall be four years and until his successor is appointed by the Governor, provided the terms of office of two members of the first board shall be one year, and the terms of office of the other members shall be two, three and four years, respectively. Vacancies during a term of office shall be filled by appointment for the unexpired term. Each member appointed to fill a new term or vacancy shall be a registered building inspector in the same branch as his predecessor.

8013. The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty.

8014. The board shall appoint an executive secretary at a salary to be fixed and determined by the board with the approval of the Director of Finance.

8015. The secretary shall keep a complete record of all applications for registration and the board's action thereon and shall prepare annually a roster showing the names and addresses of all registered building inspectors.

8016. The board may adopt rules and by-laws, not inconsistent with law, needed to govern its action. The board shall hold at least two regular meetings each year. Special meetings shall be held at such times as the by-laws of the board provide. Notice of all meetings shall be given in such manner as the by-laws provide. A majority of the board constitutes a quorum.

8017. The board shall have power to define the scope of each branch of registered building inspector for which registration is provided under this chapter.

8018. Any member of the board may administer oaths and may take testimony and proofs concerning all matters within the board's jurisdiction.

8019. The board shall adopt and have an official seal which shall be affixed to all certificates of registration.

8020. Each member of the board shall receive twenty-five dollars (\$25) per day for the time actually spent in traveling to and from and in attending sessions of the board and its committees, and he shall be reimbursed for all necessary expenses incident to the performance of his duties under this chapter.

8021. Within 30 days prior to the meeting of the general session of the Legislature, the board shall submit to the Governor a full and true report of its transactions during the preceding biennium including a complete statement of the receipts and expenditures of the board during the period. A copy of the report shall be filed with the Secretary of State.

#### Article 3. Application of Chapter

8030. In order to safeguard life, health, property and public welfare, any person in a public capacity, except as in this chapter specifically excepted, who practices, or offers to practice, as a building inspector in any of its branches in this State shall submit evidence that he is qualified to practice, and shall be registered as a building inspector by the board.

8031. Building inspection embraces the following activities in connection with fixed structures, such as residential buildings, commercial buildings, industrial buildings, agriculture and farm buildings, accessory buildings, and the necessary facilities for these buildings, such as fuel, electrical, and mechanical installations:

- (a) The use of, and design of, materials of construction.
- (b) The investigation and checking of plans and specifications for compliance with the codes, and health, safety, and zoning regulations.
- (c) The inspection of buildings or mechanical systems within and around buildings to insure compliance with governing regulations.
- (d) The exercise of special knowledge in compiling and interpreting the various health and safety laws.
- (e) The administration of the duties of the building inspector's office pertaining to the collecting of public moneys and keeping of public records.

Nothing in this chapter shall prohibit persons from engaging in building inspection work for anyone other than a city, county, or city and county for the sole purpose of seeing that compliance with prepared plans or specifications is obtained.

8032. It shall be unlawful for any city, county, or city and county to:

- (a) Employ anyone not a registered chief building inspector to administer the duties of a duly authorized building inspection department.
- (b) Employ any subordinate inspector not registered in the branch for which he is employed.
- (c) Employ any inspector not in-training unless such persons qualify as prescribed by this chapter.

An acting chief building inspector may be appointed from any of the subordinate classifications, or from the roster of chief building inspectors to act as the administrative head of a building department when a vacancy has been caused by death, dismissal, or leave. The maximum period of time that such acting chief building inspector may serve shall be one year.

#### Article 4. Registration

8040. An application for registration as a registered building inspector shall be made to the board on the form prescribed by it and shall specify the branch of registered building inspector in which the applicant desires registration, with all statements therein made under oath, and shall be accompanied by an application fee fixed by this chapter, which fee shall be retained by the board.

8041. An applicant must be at least 25 years of age, or 23 years of age in the case of inspector-in-training, and of good moral character.

8042. An applicant for registration as a chief building inspector shall meet the following requirements:

- (a) Six years' experience in the building trades in any one of the three branches, general, electrical, or plumbing; two years of which shall have been in responsible charge of work at the rank of foreman, or higher.
- (b) Two years' experience as an inspector in any branch, except inspector-in-training.

(c) Any person holding a valid California state license as a professional civil engineer or architect shall qualify for registration as a chief building inspector.

(d) Any person holding a valid Bachelor degree from a recognized university in civil or structural engineering shall qualify for registration as a building inspector-in-training.

(e) Additional experience may be substituted for experience required as a building inspector in the branches, as prescribed by the board.

- (f) Completion of the twelfth grade.

8043. An applicant for registration as a building inspector—general shall meet the following requirements:

- (a) Six years as a journeyman carpenter, two years of which shall have been in responsible charge of work at the foreman level, or above.

(b) Any person holding a valid bachelor degree from a recognized university in civil or structural engineering shall qualify for registration as a building inspector-in-training.

(c) Additional experience may be substituted for experience required, as prescribed by the board.

- (d) Completion of the twelfth grade.

8044. An applicant for registration as a building inspector—electrical shall meet the following requirements:

- (a) Six years as a journeyman electrician, two years of which shall have been in responsible charge of work at the foreman level, or above.

(b) Any person holding a valid bachelor degree from a recognized university in electrical engineering shall qualify for registration as a building inspector—electrical.

(c) Additional experience may be substituted for experience required, as prescribed by the board.

- (d) Completion of the twelfth grade.

8045. An applicant for registration as a building inspector—plumbing shall meet the following requirements:

- (a) Six years as a journeyman plumber, two years of which shall have been in responsible charge of work at the foreman level, or above.



(b) Any person holding a valid bachelor degree from a recognized university in sanitary engineering shall qualify for registration as a building inspector—plumbing.

(c) Additional experience may be substituted for experience required, as prescribed by the board.

(d) Completion of the twelfth grade.

8046. Any person selected after meeting any of the requirements of Sections 8043, 8044, or 8045 shall be licensed by examination within two years of the date of employment. These two years in-training must be under the general supervision of a licensed chief building inspector.

8047. Examination for registration shall be held at regular or special meetings of the board, at the times and places within the State as the board shall determine.

Work of the board relating to examination and registration may be divided into committees as the board shall direct. The scope of examinations and the methods of procedure may be prescribed by the board.

8048. Separate examinations shall be given for each branch of registered building inspector, except that no examination is required for building inspector-in-training, but applicants for this title shall meet the experience and educational requirements set forth by the board.

8049. Examinations shall consist of two parts. Part one, comprising 70 percent of the total, shall be written and shall test the applicant's knowledge of the particular branch of work he intends to be registered in and his ability to apply this knowledge to the field of building inspection. Part two, comprising 30 percent of the total, shall be oral and shall test the applicant's ability to effectively present his special knowledge, training and experience to the building industry and the general public, so that he may readily understand the requirements imposed upon him by law.

8050. An applicant for registration in more than one branch of registered building inspector shall file an application for each branch in which he wishes to be examined.

8051. An applicant failing in an examination may be examined again upon filing a new application and payment of the application fee fixed by this chapter.

8052. In determining the qualifications of an applicant for registration, a majority vote of the board is required.

8053. Any applicant who has passed the examination and has otherwise qualified hereunder as a registered building inspector, upon payment of the registration fee fixed by this chapter, shall have a certificate of registration issued to him as a registered building inspector in the particular branch for which he is found qualified.

8054. A duplicate certificate of registration to replace a lost, destroyed, or mutilated certificate may be issued subject to the rules and regulations of the board, upon payment of the duplicate certificate fee fixed by this chapter.

8055. An unsuspended, unrevoked, and unexpired certificate and endorsement of registry made under this chapter, is presumptive evidence in all courts and places that the person named therein is legally registered.

#### Article 5. Disciplinary Proceedings

8060. The board may receive and investigate complaints against registered building inspectors and building inspectors-in-training, and make findings thereon.

By a majority vote, the board may reprove, privately or publicly, or may suspend for a period not to exceed two years, or may revoke the certificate of any registered building inspector registered hereunder:

(a) Who has been convicted for a felony.

(b) Who has not a good character.

(c) Who has been found guilty by the board of any deceit, misrepresentation, fraud or gross incompetence in his practice.

(d) Who has been found guilty of any fraud or deceit in obtaining his certificate or violation of any provision of this chapter.

(e) Who aids or abets any person in the violation of any provisions of this chapter.

(f) Who violates any provision of this chapter.

8061. The proceedings under this article shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

8062. The board may reissue a certificate of registration to any person whose certificate has been revoked if a majority of the members of the board vote in favor of such reissuance for reasons the board deems sufficient.

8063. The board shall issue a certificate of registration to any person employed in building inspection, for the branch or branches in which he is working at the time of adoption of this chapter, without examination.

#### Article 6. Offenses Against the Chapter

8070. The board shall have the power, duty, and authority to investigate violations of the provisions of this chapter.

8071. It is the duty of the respective officers charged with the enforcement of laws and ordinances to prosecute all persons charged with the violation of any of the provisions of this chapter.

It is the duty of the secretary of the board, under the directions of the board, to aid such officers in the enforcement of this chapter.



8072. Every person is guilty of a misdemeanor and for each offense of which he is convicted is punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment not to exceed three months, or by both fine and imprisonment:

(a) Who, unless he is exempt from registration under this chapter, practices or offers to practice building inspection in this State according to the provisions of this chapter without legal authorization.

(b) Who presents or attempts to file as his own the certificate of registration of another.

(c) Who gives false evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration.

(d) Who uses an expired or revoked certificate of registration.

(e) Who shall represent himself as, or use the title of, registered building inspector, or any other title whereby such person could be considered as practicing or offering to practice building inspection in any of its branches, unless he is qualified by registration as a building inspector under this chapter.

(f) Who uses the title, or any of them, of "chief building inspector," "building inspector—general," "building inspector—electrical," "building inspector—plumbing," or "building inspector-in-training," without being registered as required by this chapter.

(g) Who violates any provision of this chapter.

#### Article 7. Revenue

8080. Any certificate of registration or authority to use the title "building inspector" issued under the provisions of this chapter shall remain in effect until the thirtieth of June following the date of issuance. Every building inspector or building inspector-in-training registered under this chapter who desires to continue the practice of his profession beyond the thirtieth day of June following the date of issuance of his original certificate shall on or before the thirtieth day of June of each year pay an annual renewal fee which shall be retained for the board, for which fee a renewal certificate of registration for the current year shall be issued.

8081. Certificates of registration which have expired for failure to pay renewal fee may be reinstated within one year under rules and regulations prescribed by the board. After the thirtieth day of June of each year the application for reinstatement of an expired certificate of registration shall be accompanied by the penalty for delinquency fixed by this chapter, in addition to the annual renewal fee.

8082. The department shall receive and account for all money derived from the operation of this chapter, and, at the end of each month, shall report such money to the State Controller and shall pay it to the State Treasurer, who shall keep the money in a separate fund known as the Registered Building Inspector's Fund. This fund shall be expended in accordance with law for the payment of all actual and necessary expenses incurred in carrying out the provisions of this chapter.

8083. The department may make refunds of all fees in accordance with Section 158 of this code.

8084. The amount of fees prescribed by this chapter is that fixed by the following schedule:

(a) The fee for filing each application for registration as a registered building inspector is fifteen dollars (\$15) and for each certification as building inspector-in-training is ten dollars (\$10), except that as to any person who is the holder of a current certificate as a building inspector-in-training, the fee for filing an application for registration as registered building inspector is five dollars (\$5).

(b) The registration fee for registered building inspector is ten dollars (\$10) for each certificate issued.

(c) The duplicate certificate fee is one dollar (\$1).

(d) The annual renewal fee for registered building inspector is five dollars (\$5) for each branch of registered building inspector in which registration is held.

(e) The penalty for delinquency of the annual renewal fee is one dollar (\$1) for each month or fraction thereof after the date upon which the annual fee became due until the amount thereof aggregates five dollars (\$5).

Applicants wishing to be examined in more than one branch of registered building inspector shall be required to pay the additional fee for each examination after the first."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Joint Resolution No. 30:** By Senators Powers, Hulse, and Burns—Relative to the need for congressional action to restore the taxing power of the states.

Referred to Committee on Revenue and Taxation.

## RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

**Senate Resolution No. 98**

Relative to the Pacific Bible College

WHEREAS, For 53 years the Pacific Bible College of Azusa, Incorporated, has been an educational institution of specialized learning, growing with the community and completely dedicated to the Christian way of life on which foundation the United States of America was conceived, its purpose being to offer to its students a general education of arts, letters, and sciences with a core curriculum of Bible to prepare them for their philanthropic tasks and God given responsibilities in the schools and churches of our Nation and as leaders both spiritual and civic in the communities and as ambassadors for Christ in mission fields ripe unto harvest throughout the world; and

WHEREAS, Pacific Bible College of Azusa is dedicated to the words of the Lord Jesus Christ who said, "Seek ye first the Kingdom of God and His righteousness," and to the motto of the College, "God First", which has become the watchword of every student and faculty member, and being so dedicated, instills the pledge of allegiance both to the Flag of the United States of America and to the government of the United States, which government and the power thereof is ordained and blessed of God; and

WHEREAS, The Pacific Bible College faculty and staff are composed of men and women educated in the finest colleges and universities in the Nation, being well prepared in their respective fields with earned degrees; and whereas, the official Board of Pacific Bible College is made up of men from 15 different denominations showing that cooperation and fellowship are possible among people of different denominations of the Christian faith; and

WHEREAS, Pacific Bible College, besides being a regular four-year college leading to various degrees, each with adequate study in its respective field, plus study in the Word of God, the Pacific Bible College is interdenominational, the student body representing some 20 to 30 denominations each semester with four denominations making P.B.C. their church school on the West Coast; and

WHEREAS, No other school west of Chicago, Illinois, offers such extensive courses in the field of radio, including both technical and production training, including the building of radio sets at the college by the students, which sets are sent to missionaries all over the world, and the use of student-produced programs now broadcast from Manila, Philippines, and other stations both short and long wave over the world; and

WHEREAS, Graduates and alumni of Pacific Bible College have brought glory to God, to the United States, and to P.B.C. by their works in missionary endeavor and in defense and economic production for the American people, and as graduates of the school, have had their translations of the Bible published by both the British and Foreign Bible Society and the American Bible Society; and working for victory in World War II, graduates and former missionaries made major contributions to the war effort, and other graduates are making daily contributions by farming and other occupations necessary to the economic and military security of our nations; and

WHEREAS, Over 96 percent of all graduates of the College from its beginning in 1899 have been active in some kind of Christian work and over 90 percent of these have been and are in full-time Christian service; and over the past 11 years, 1942-1952, exactly 99.3 percent of all graduates are in some phase of service for Christ and the Church; and

WHEREAS, Eighty percent of the students at Pacific Bible College are working full or part time to support themselves during their training period for accredited education, as well as participating in service to the surrounding communities in church and youth work as well as in civic programs, in duties and capacities covering the range of everyday living, such as, pastors, youth directors, Sunday School teachers, church school superintendents, playground superintendents, choir directors, nurses, defense workers, and other occupations which contribute wholesome and moral strength to the community and thus to the Nation; and

WHEREAS, Graduates of Pacific Bible College have entered Christian service in all parts of the world and have rendered singular service to the peoples of many foreign governments in the education and training of their young and teachable, and have

rendered service to humanity and to God by ministering to their physical and spiritual needs, 33 percent of these graduates having left their homeland to enter missionary service in foreign nations, including Africa, Bolivia, Mexico, Guatemala, Philippines, British Guiana, China, Korea, Formosa, Chile, Colombia, and other countries with an allegiance to God and to the United States of America equalled only by those who die on the field of battle; and the students and faculty of Pacific Bible College have been well represented in the armed forces of the United States in both the great wars, as enlisted men, officers, and chaplains of the Army, Navy, Marine Corps, and of the Air Force; and

WHEREAS, Many of the graduates of Pacific Bible College of Azusa have continued their education by post-graduate work at some of the nations leading universities and colleges where they have established an excellent record of scholastic and academic achievement, and have gone forth to serve as outstanding religious leaders of many different denominations, some as college presidents, deans, registrars, college professors, and public or Christian day schoolteachers; and

WHEREAS, Not one graduate or alumni of Pacific Bible College of Azusa has ever been involved in or has assented to any subversive activity against the Government of the United States of America, or against the governments of countries in which they have served; and

WHEREAS, The Pacific Bible College of Azusa, Inc., is continually endeavoring to raise its standards, spiritually, and morally, in order to offer a more complete more encompassing educational service to its students, that they may more effectively serve God and their country, and the foreign countries in which they minister; now, therefore, be it,

*Resolved*, By the Senate of the State of California, that we do heartily commend the Pacific Bible College of Azusa, California, for the character of the service it is rendering to the youth and through them to our country and to the many other friendly nations where its graduates have gone and will go and be it further

*Resolved*, That the various state supported educational institutions be requested to render all reasonable service and cooperation to the students of the Pacific Bible College of Azusa, California, engaged in collegiate courses; and be it further

*Resolved*, That the secretary of the Senate be directed to prepare a suitably prepared copy of this resolution and transmit it to the President of the Pacific Bible College of Azusa, California.

Resolution read, and referred to Committee on Rules.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 12

Assembly Joint Resolution No. 19

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Joint Resolution No. 12**—Relative to permitting the deduction of certain soil preparation expenditures for farmers and ranchers, in the Internal Revenue Code.

Referred to Committee on Agriculture.

**Assembly Joint Resolution No. 19**—Relative to smuggling of gold out of the United States.

Referred to Committee on Judiciary.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 470  
Assembly Bill No. 561  
Assembly Bill No. 908  
Assembly Bill No. 985  
Assembly Bill No. 1230  
Assembly Bill No. 2997  
Assembly Bill No. 1172  
Assembly Bill No. 1503

Assembly Bill No. 1652  
Assembly Bill No. 1778  
Assembly Bill No. 1849  
Assembly Bill No. 2523  
Assembly Bill No. 2662  
Assembly Bill No. 2802  
Assembly Bill No. 2880  
Assembly Bill No. 3277

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

INTRODUCTION, FIRST READING, AND REFERENCE  
OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 470**—An act to add Article 4 to Chapter 7 of Division 9 of the Elections Code, relating to recounting of ballots at primary elections.

Referred to Committee on Elections.

**Assembly Bill No. 561**—An act to amend Section 204e of the Code of Civil Procedure and Section 69895 of the Government Code, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Local Government.

**Assembly Bill No. 908**—An act to amend Section 477.5 of the Vehicle Code, relating to the alleviation of hazardous traffic conditions at school approaches.

Referred to Committee on Transportation.

**Assembly Bill No. 985**—An act to amend Section 981.15 of the Military and Veterans Code, relating to educational benefits for veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1230**—An act to add Title 4, comprising Sections 1925.1 to 1925.5, to Part 1, Division 4, of the Civil Code, relating to actions based upon a single publication, exhibition or utterance.

Referred to Committee on Judiciary.

**Assembly Bill No. 2997**—An act to amend Section 700 of the Welfare and Institutions Code, relating to persons subject to jurisdiction of the juvenile court.

Referred to Committee on Judiciary.

**Assembly Bill No. 1172**—An act to amend Sections 8 and 16 of the Municipal Improvement Act of 1913 (Chapter 247, 1913 Statutes), and to amend Sections 10403 and 10427 of the Streets and Highways Code, relating to improvement districts.

Referred to Committee on Local Government.



**Assembly Bill No. 1503**—An act to add Section 214.1 to the Revenue and Taxation Code, relating to the welfare exemption and declaring the effective date thereof.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1652**—An act to amend Section 1481 of the Government Code, relating to a master official bond or other form of master bond, the form and contents thereof and beneficiaries thereunder.

Referred to Committee on Judiciary.

**Assembly Bill No. 1778**—An act to amend Section 1523.5 to the Welfare and Institutions Code, relating to the vocational rehabilitation of needy children and their parents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1849**—An act to amend Sections 301, 500, 501, and 3600 of the Corporations Code, relating to articles and by-laws of corporations.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2523**—An act to amend Section 160.96 of the Agricultural Code, relating to financial responsibility in pest control operations.

Referred to Committee on Agriculture.

**Assembly Bill No. 2662**—An act to amend Section 12507 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Agriculture.

**Assembly Bill No. 2802**—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Referred to Committee on Agriculture.

**Assembly Bill No. 2880**—An act to amend Section 2183 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 3277**—An act to add Section 206a to the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred: Senate Bill No. 1207  
Assembly Bill No. 519

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

GRUNSKY, Vice Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1341  
Assembly Bill No. 1393  
Assembly Bill No. 1394

Assembly Bill No. 1398  
Assembly Bill No. 1401  
Assembly Bill No. 1402

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

GRUNSKY, Vice Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Bill No. 1048

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

GRUNSKY, Vice Chairman

Above reported bill ordered to second reading.

## Committee on Judiciary

## SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1829

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Governmental Efficiency.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 956  
Senate Bill No. 652  
Assembly Bill No. 3344

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 644

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; noes 3; absent 2.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 380	Assembly Bill No. 2240
Assembly Bill No. 627	Assembly Bill No. 3052
Assembly Bill No. 706	Assembly Bill No. 455
Assembly Bill No. 1395	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1657

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 11; committee vote: Ayes 6; noes 4; absent 1.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 1288	Senate Bill No. 1297
Senate Bill No. 1289	Senate Bill No. 1298
Senate Bill No. 1290	Senate Bill No. 1299
Senate Bill No. 1291	Senate Bill No. 1300
Senate Bill No. 1292	Senate Bill No. 1301
Senate Bill No. 1293	Senate Bill No. 1303
Senate Bill No. 1296	Senate Bill No. 1304

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 94—An act to add Section 16330 to the Business and Professions Code, relating to the licensing of itinerant merchants;

Senate Bill No. 280—An act to repeal Section 9 of the Construction and Employment Act (Chapter 20 of the Statutes of the First Extraordinary Session of 1945) and Section 2103.1 of the Streets and Highways Code, relating to money made available for the support of the Controller, Director of Finance, and Department of Finance;

Senate Bill No. 700—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes;

Senate Bill No. 701—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1953, at 2.30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 123—An act to amend Section 58.8 of the Code of Civil Procedure and Section 68845 of the Government Code, relating to the office of the Clerk of the Supreme Court;

Senate Bill No. 135—An act to amend Section 6508 of the Business and Professions Code, relating to barbers;

**Senate Bill No. 708**—An act to add Section 9.5 to the Municipal and Justice Court Act of 1949 and Section 71180.5 to the Government Code, relating to notice of the appointment, election, death, removal or resignation of judges of municipal and justice courts;

**Senate Bill No. 751**—An act to add Section 22654 to the Water Code, relating to powers and purposes of irrigation districts;

**Senate Bill No. 752**—An act to add Section 22655 to the Water Code, relating to powers and purposes of irrigation districts;

**Senate Bill No. 1125**—An act to amend Section 1829 of the Education Code, relating to the posting of the results of school district elections;

**Senate Bill No. 1165**—An act to amend Section 430 of the Education Code, relating to the compensation of the county superintendents of schools;

**Senate Bill No. 1404**—An act to amend Section 7302 of the Business and Professions Code, relating to the practice of cosmetology;

**Senate Bill No. 1405**—An act to amend Sections 7332 and 7351 of the Business and Professions Code, relating to the practice of cosmetology;

**Senate Bill No. 1406**—An act to amend Section 7420 of the Business and Professions Code, relating to the practice of cosmetology;

**Senate Bill No. 1431**—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1953, at 4 p.m.

POWERS, Chairman

#### ADJOURNMENT

At 4.30 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1 p.m., Tuesday, April 7, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

FIFTY-SIXTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 7, 1953

The Senate met at 1 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—35.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Ward, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Hoffman, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edna Parks, Odessa Carpenter, Frances Clementi, Austan Eaton, Earl Wilkerson, Mary Ross, W. Ross, and Robert Hodenson, all from Agnew.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. D. Windolph, Mrs. R. D. Windolph, and Miss Ann Windolph, all of Santa Ana.

On request of Senators Abshire and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lester Green of Redwood City.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal G. A. Tindall, Teachers Mrs. Elizabeth Moore, Mrs. Mollie Phillips, and the following students of Salsipuedes Union Elementary School, Watsonville: Aldene Vassallo, Nina Pearce, Carol Manger, Betty Cunha, June Boyd, Leonna Davison, Beverly Sampson, Colleen Connor, Joyce Marlowe, Ann Read, Conrad Maddox, Glen Kimoto, David Dawson, Kunio Idemoto, Bob Dieterich, Ernest Dalton, Ronald Franzke, Yutaka Nagai, Fred Lucero, Joe Carrillo, Jeff Heim, Darwin Crigger, Dovie Brantley, and Patsy McCutcheon.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmer P. Delany of San Francisco, and Emmett Campion of Daly City.

On request of Senators O'Gara and Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ruth Gottstein, Mrs. Geraldine Taylor, and Mr. and Mrs. Ross Price, all of San Francisco, and Mrs. Jeanie Rickey of Lodi.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John B. Moore, Administrative Assistant to the City Council, Vernon; Royal M. Sorensen of Los Angeles; and N. W. Hagelberg of Vernon.

On request of Senators Thompson and Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Bernice Clifford, Mr. and Mrs. Gronroos, Mrs. Clara Hayes, and the following students of Grant School of Lodi: Helen Dupes, Hope Dupes, Elaine Gronroos, Henry Karl Gronroos, Charles Gronroos, Donald Hayes, Lana Locke, Larry Newton, Charlie Peterson, Betty Jean Post, Kenneth Zimmerman, and Alice Linde.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. F. Gibson of Stratford.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan Endsley and Boyd Haight of Palo Alto.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Tony Gaggero; City Councilman Paul Green, and Joseph Kennedy, all of Daly City.

#### COMMUNICATIONS

The following communication was received and read, and on motion of Senator Dorsey, ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE  
April 7, 1953

*Lieutenant Governor and Members of the Senate:*

I wish to take this opportunity to extend my grateful appreciation to Bartley Cavanaugh, City Manager of Sacramento, for the busses furnished; to A. P. "Gus" Bellisle and other Assistant Sergeant at Arms; Clerks at the desk; the Senate Quartette, composed of Joe Beck, Bill Watts, Med Anderson and Dick O'Kane; and others

for their noble assistance to my people and myself in putting on the Kern County dinner on April 6, 1953.

The Members of the Assembly from Kern County, Miss Dorothy Donahoe and H. W. "Pat" Kelly, join me in this expression of thanks.

JESS R. DORSEY

### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Joint Resolution No. 26

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 235

Assembly Bill No. 2821

Assembly Bill No. 574

Assembly Bill No. 207

Assembly Bill No. 1412

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1467

Senate Bill No. 1770

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 470

Senate Bill No. 770

And reports the same correctly engrossed.

POWERS, Chairman

### RESOLUTIONS

The following resolution was offered:

By Senator Busch:

#### Senate Resolution No. 99

Relative to Augmenting the Funds of the Senate Interim Judiciary Committee

*Resolved by the Senate of the State of California,* That in addition to any funds heretofore made available, the sum of one thousand two hundred dollars (\$1,200) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Judiciary created by Senate Resolution No 200, 1951 Regular Session and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

### CONSIDERATION OF DAILY FILE

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 1207**—An act to amend Section 10270.5 of the Insurance Code, relating to group insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Section", insert "s".

**Amendment No. 2**

In line 1 of the title of the printed bill, before "of", insert "and 10270.6".

**Amendment No. 3**

On page 2, line 14, of said bill, strike out "and under which", and insert "or".

**Amendment No. 4**

On page 2 of said bill, strike out lines 15 to 25, inclusive.

**Amendment No. 5**

On page 2, line 29, of said bill, strike out "10", and insert "50".

**Amendment No. 6**

On page 2, lines 32 and 33, of said bill, strike out "or those thereof who comprise any athletic team".

**Amendment No. 7**

On page 2, line 41, of said bill, strike out the period, and insert "; and under which".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 8**

On page 2 of said bill, after line 41, insert

"(b) For delivery to each person insured thereunder, other than dependents or spouses of an insured employee or person, there is issued to the holder of the master policy by the insurer an individual certificate setting forth the benefits and the exceptions under, and referring to, the master policy under which the certificate is issued.

Such certificates are not subject to the provisions of this chapter relating to the master policy, but the forms thereof shall be submitted to the commissioner for his approval and shall not be issued without such approval of such forms in the manner provided in the case of the master policy.

SEC. 2. Section 10270.6 of the Insurance Code is amended to read:

10270.6. Every group disability master policy shall contain the following provisions:

(a) A provision that the policy, the application of the [employer, or executive officer or trustee of any association or trustees] *policyholder* and the individual applications, if any, of the [employees or members] *individuals* insured shall constitute the entire contract between the parties, and that all statements made by the [employer, or the executive officer or trustee or trustees] *policyholder*, or by the [individual employees or members] *individuals* insured shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defense to a claim under the policy, unless it is contained in a written application;

(b) A provision that the insurer will issue to the [employer or to the executive officer or trustee of the association or to the trustees] *policyholder for delivery to the [employee or member who is] individuals* insured under such policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled and to whom payable;

(c) A provision that to the group or class thereof originally insured shall be added from time to time all new employees [of the employer, or members of the association], *members or pupils of the policyholder* eligible to and applying for insurance in such group or class;

(d) A statement that such policy is not in lieu of and does not affect any requirement for coverage by workmen's compensation insurance."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.



**Senate Bill No. 1829**—An act to add Section 172c to the Penal Code, relating to selling or exposing intoxicating liquor for sale in the vicinity of a described portion of the grounds belonging to the University of California at Riverside.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "sells", strike out "at retail".

**Amendment No. 2**

On page 1, lines 5 and 6, of said bill, after "sale", strike out "at retail".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 956**—An act to amend Section 162 of the Probate Code, relating to payment of interest on legacies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on February 27, 1953, in line 13, insert a comma between the words "annual" and "monthly".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 652**—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 3, line 12, of the printed bill, strike out "with", and insert "within".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 644**—An act to amend Sections 17003, 17200, 17207, 17209, 17401, 17406, 17414, and 17613 of, and to add Sections 17210.1, 17210.2, 17403.1, 17413.1, 17417, and 17418 to, the Financial Code, and to add Article 14, comprising Section 1577, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to escrow agents under the Escrow Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in the Senate February 27, 1953, after "purpose", insert "licensed by the Commissioner as an escrow agent".

**Amendment No. 2**

On page 3, line 8, of said bill, after "SEC. 7.", insert "Section".

**Amendment No. 3**

On page 4, line 27, of said bill, strike out "12", and insert "15".

**Amendment No. 4**

On page 4, line 40, of said bill, strike out "13", and insert "16".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 380**—An act to amend Section 402b of the Penal Code, relating to refrigerators, ice boxes, and deep freeze lockers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1657**—An act amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11411, 11416, 12510, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20023, 20082, 20083, 20084, 20085, 20086, 20625, 20820, 23196, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the title of Article 1 of Chapter 2, Division 1, the title of Article 5 of Chapter 3, Part 4, Division 5, the title of Article 6, Chapter 1, Part 3, Division 6, the title of Article 2, Chapter 3, Part 8, Division 12, the title of Chapter 4 of Part 1, Division 14, the title of Article 4 of Chapter 1, Part 5, Division 14, and the title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 126, 127, 128, 130, 131, 133, 134, 135, 136, 143, 145, 146, 1360, 12543, 20034, and Articles 2, 3 and 4 to Chapter 2, Division 1, the title to Chapter 3, Division 1, the title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 6001, 6050, 6051, 8305, 8698, 8699, 11412, 11413, 11554, 20544, 20545, and 39029 of, the Water Code, amending Sections 4001, 11041, 12040, 12543, 13370, 14005, 14033, 14255, 14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14035, 14036, and 14037, and Article 2, Chapter 2, Part 5, Division 3, Title 2, of, the Government Code, and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514), Creating a Department of Water Resources and providing for the regulation of water resources, all relating to state administration of water resources.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Senate March 24, 1953, strike out "11411."

**Amendment No. 2**

In line 16 of the title of said bill, after "1360," insert "12519".

**Amendment No. 3**

In line 20 of the title of said bill, after "1303," insert "2765".

**Amendment No. 4**

In line 21 of the title of said bill, strike out "11412, 11413".

**Amendment No. 5**

In line 23 of the title of said bill, strike out "12543".

**Amendment No. 6**

On page 2, line 8, of said bill, strike out "Water Rights", and insert "Engineering".

**Amendment No. 7**

On page 2, line 22, of said bill, after "specifically", insert "or impliedly".

**Amendment No. 8**

On page 2, line 42, of said bill, after "duties", insert "specifically".

**Amendment No. 9**

On page 2, lines 43 and 44, of said bill, strike out "with respect to the appropriation of water", and insert "to be exercised independently as chief of the Division of Engineering".

**Amendment No. 10**

On page 3, line 35, of said bill, strike out "Water Rights", and insert "Engineering".

**Amendment No. 11**

On page 5 of said bill, strike out line 6, and insert

"153. The legal division shall be in charge of a chief, designated as the State Water Attorney, who is appointed by the director subject to the provisions of the State Civil Service Act.

154. The State Water Attorney shall be independently responsible for the exercise of the jurisdiction, powers and duties of the legal division, except as to purely administrative matters in connection therewith as to which he is subject to supervision of the director.

155. The State Water Attorney shall be the legal adviser and attorney in".

**Amendment No. 11.4**

On page 5, line 10, of said bill, strike out "and for", and insert "for".

**Amendment No. 11.5**

On page 5, line 17, of said bill, after "150", insert "except that the Attorney General shall render to the State Water Attorney and the State Water Resources Board, Water Project Authority, Reclamation Board, Colorado River Board, and District Securities Commission such legal assistance as they may request from time to time."

**Amendment No. 12**

On page 5, line 10, of said bill, after "director," insert "the State Engineer".

**Amendment No. 13**

On page 5 of said bill, strike out line 12, and insert "except the Colorado River Board and the Water Project Authority. The Colorado River Board or the Water Project Authority".

**Amendment No. 14**

On page 5, line 19, of said bill, strike out "Water Rights", and insert "Engineering".

**Amendment No. 15**

On page 5, line 21, of said bill, strike out "Water Rights", and insert "Engineering".

**Amendment No. 16**

On page 5, line 27, of said bill, strike out "Part 2, Division 2" and insert "Parts 2, 3 and 4 of Division 2, Division 3, and Division 10".

**Amendment No. 17**

On page 5, line 32, of said bill, strike out "Water Rights", and insert "Engineering".

**Amendment No. 17.5**

On page 5, line 39, of said bill, after "162", insert "The duties, powers and jurisdiction vested in the Department of Water Resources by Articles 2, 3 and 4 of Chapter 2, Division 1 of this code shall be administered and exercised through the Division of Engineering."

**Amendment No. 18**

On page 5 of said bill, between lines 34 and 35, insert  
 "164. The State Engineer must consult with and secure the advice of the State Water Attorney in connection with the exercise of his duties."

**Amendment No. 18.5**

On page 7 of said bill, between lines 20 and 21, insert  
 "SEC. 28.5. Section 2765 of said code is repealed."

**Amendment No. 19**

On page 11 of said bill, strike out lines 38 to 42, inclusive.

**Amendment No. 20**

On page 11, line 43, of said bill, strike out "63", and insert "61".

**Amendment No. 21**

On page 11, line 47, of said bill, after "must", insert "The authority shall select such attorneys to represent it as may be necessary."

**Amendment No. 22**

On page 11, line 48, of said bill, strike out "64", and insert "62".

**Amendment No. 23**

On page 11, line 49, of said bill, strike out "65", and insert "63".

**Amendment No. 24**

On page 11, line 52, of said bill, after "part", insert ", and the board and its members shall function independently of the department".

**Amendment No. 25**

On page 11 of said bill, after line 52, insert  
 "Sec. 64. Section 12519 is added to said code, to read  
 12519. The Colorado River Board shall have power and authority to do all things necessary to protect and advance the interests of the people and the public agencies of the State of California in and to the use of the waters of the Colorado River system in California."

**Amendment No. 26**

On page 12, line 21, of said bill, after "of", insert "eight members, including".

**Amendment No. 27**

On page 12, line 23, of said bill, after "Article", insert ", and the Director of Water Resources".

**Amendment No. 28**

On page 12, lines 25 and 26, of said bill, strike out "as secretary and as engineer to the board, without additional compensation", and insert "as ex officio member of the board, without additional compensation. The State Engineer may, if requested by the board, serve as secretary to the board, without additional compensation, and shall, upon request of the board, furnish such engineering assistance as the board desires."

**Amendment No. 28.5**

On page 17, line 24, of said bill, strike out "Section 20153", and insert "Article 7 of Chapter 1, Division 10 of the Water Code".

**Amendment No. 29**

On page 23, line 22, of said bill, after "Resources", insert "or the Water Project Authority".

**Amendment No. 30**

On page 24, line 49, of said bill, after "of", insert "eight members, including".



**Amendment No. 31**

On page 25, lines 3 and 4, of said bill, strike out "secretary and as engineer to the Water Resources Board," and insert "as ex officio member of the board, without additional compensation. The State Engineer may, if requested by the board, serve as secretary to the board."

**Amendment No. 32**

On page 25, line 4, of said bill, strike out "to him", and insert ", and shall, upon request of the board, furnish such engineering assistance as the board desires".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1288**—An act to repeal Chapter 718 of the Statutes of 1911, relating to overflow districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1289**—An act to repeal Chapter 724 of the Statutes of 1909, relating to municipal water districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1290**—An act to repeal Chapter 166 of the Statutes of 1891, relating to the Sutter County No. 6 Levee District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1291**—An act to repeal Chapter 299 of the Statutes of 1875-6, relating to the Sutter County No. 2 Levee District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1292**—An act to repeal Chapter 551 of the Statutes of 1877-8, relating to the Sacramento County No. 1 Levee District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1293**—An act to repeal Chapter 470 of the Statutes of 1877-8, relating to the Bear River No. 1 District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1296**—An act to repeal Chapter 680 of the Statutes of 1909, relating to the Yolo Basin Drainage District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1297**—An act to repeal Chapter 381 of the Statutes of 1867-8, relating to the Washington Drainage District of Yolo County.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1298**—An act to repeal Chapter 643 of the Statutes of 1877-8, relating to the Sacramento River Drainage District.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1299**—An act to repeal Chapter 102 of the Statutes of 1923, relating to drainage districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1300**—An act to repeal Chapter 228 of the Statutes of 1897, relating to drainage districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1301**—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1303**—An act to repeal Chapter 745 of the Statutes of 1915, relating to county power pumping districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1304**—An act to repeal Chapter 332 of the Statutes of 1919, relating to conservancy districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 543**—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, and 18 of, and to add Sections 16, 16.1 and 16.2 to, the Fish and Game Code, relating to the powers and duties of the Fish and Game Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

Bill read second time, and ordered to third reading.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to public shooting grounds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1941**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

Bill read second time.

#### **Motion to Amend**

Senator Montgomery moved the adoption of the following amendments:

##### **Amendment No. 1**

On page 1, lines 17 and 18, of the printed bill, strike out "road commissioner,".

##### **Amendment No. 2**

On page 1, line 23, of said bill, strike out "justices' ", and insert "justice".

##### **Amendment No. 3**

On page 2, line 2, of said bill, strike out "justices' ", and insert "justice".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

Bill read second time, and ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 519**—An act to amend Sections 10205, 10209, 10270.5, 10270.9 and 10270.95 of, to amend Section 10270.93 and renumber it 10270.94 of, and to add Sections 10205.5, 10205.6, 10210.5, 10270.91, 10270.92 and 10270.93 to, the Insurance Code, all relating to insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Assembly March 4, 1953, strike out lines 5 to 16, inclusive, and insert "policyholder containing a provision that unless a policy the form of which has been approved by the commissioner and embodying the coverage has been issued and delivered to the policyholder within 90 days after the date on which the coverage is provided or agreed to be provided, the coverage provided pursuant to such memorandum terminates 120 days after such date, and containing a specification in either complete or summary form of:

- (i) The class or classes of employees eligible for coverage;
- (ii) The benefits to be provided; and
- (iii) The exceptions and reductions to such benefits, if any."

**Amendment No. 2**

On page 2 of said bill, after line 28, insert

"Upon written request from the insurer filed within 50 days after the date on which the coverage is provided or agreed to be provided and upon proof satisfactory to him that the insurer is acting with due diligence and that hardship will result unless an extension is granted, the commissioner may extend the time set forth in (b) (1) hereof for a period of not to exceed 30 days. Upon such extension, the insurer with the consent of the policyholder may amend the memorandum of insurance referred to in (a) (2) hereof to extend the time within which the policy must be issued and delivered to the policyholder to 30 days after the date to which the commissioner has extended the time within which a policy form must be submitted to him for approval and to extend the date for termination of coverage to 30 days thereafter."

**Amendment No. 3**

On page 3 of said bill, strike out lines 8 to 50, inclusive.

**Amendment No. 4**

On page 4, line 1, of said bill, strike out "Sec. 5.", and insert "SEC. 4."

**Amendment No. 5**

On page 4, line 35, of said bill, strike out "SEC. 6.", and insert "SEC. 5."

**Amendment No. 6**

On page 6, line 44, of said bill, strike out "SEC. 7.", and insert "SEC. 6."

**Amendment No. 7**

On page 7, line 27, of said bill, strike out "SEC. 8.", and insert "SEC. 7."

**Amendment No. 8**

On page 7 of said bill, strike out lines 41 to 52, inclusive, and insert "policyholder containing a provision that unless a policy the form of which has been approved by the commissioner and embodying the coverage has been issued and delivered to the policyholder within 90 days after the date on which the coverage is provided or agreed to be provided, the coverage provided pursuant to such memorandum terminates 120 days after such date, and containing a specification in either complete or summary form of:

- (i) The class or classes of employees eligible for coverage;
- (ii) The benefits to be provided; and
- (iii) The exceptions and reductions to such benefits, if any."

**Amendment No. 9**

On page 8 of said bill, after line 13, insert

"Upon written request from the insurer filed within 50 days after the date on which the coverage is provided or agreed to be provided and upon proof satisfactory to him

that the insurer is acting with due diligence and that hardship will result unless an extension is granted, the commissioner may extend the time set forth in (b) (1) hereof for a period of not to exceed 30 days. Upon such extension, the insurer with the consent of the policyholder may amend the memorandum of insurance referred to in (a) (2) hereof to extend the time within which the policy must be issued and delivered to the policyholder to 30 days after the date to which the commissioner has extended the time within which a policy form must be submitted to him for approval and to extend the date for termination of coverage to 30 days thereafter."

**Amendment No. 10**

On page 8, line 19, of said bill, strike out "SEC. 9.", and insert "SEC. 8."

**Amendment No. 11**

On page 8, line 44, of said bill, strike out "SEC. 10.", and insert "SEC. 9."

**Amendment No. 12**

On page 9, line 29, of said bill, strike out "SEC. 11.", and insert "SEC. 10."

**Amendment No. 13**

On page 10, line 10, of said bill, strike out "SEC. 12.", and insert "SEC. 11."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1341**—An act to amend Sections 2071, 2072, 2095 and 3010 of the Financial Code, relating to the merger of banks and trust companies and the transfer of trust business upon the merger, consolidation or sale of banks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1393**—An act to amend Section 22616 of the Financial Code, relating to contracts entered into by personal property brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1394**—An act to amend Section 22210 of the Financial Code, relating to the withdrawal of an application for a license under the Personal Property Brokers Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1398**—An act to amend Section 24610 of the Financial Code, relating to contracts entered into by licensees under the California Small Loan Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1401**—An act to amend Sections 18203 and 18206 of the Financial Code, relating to paid-in and unimpaired capital of an industrial loan company.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1402**—An act to amend Section 24210 of the Financial Code, relating to the withdrawal of an application for a license under the California Small Loan Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1048**—An act to add Section 10291.6 to the Insurance Code, relating to disability insurance.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 3344**—An act to amend Section 290 of the Penal Code, relating to registration of sex offenders.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 16, of the printed bill, after "hereafter", insert "is".

**Amendment No. 2**

On page 1, line 24, of said bill, following "city," place a comma, and insert "or city and county."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 627**—An act to amend Section 13 of the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949) and Section 71140 of the Government Code, relating to constables in justice courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 706**—An act to add Section 5522 to the Welfare and Institutions Code, relating to escape of sexual psychopaths.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1395**—An act to amend Section 25100 of the Corporations Code, relating to the execution, filing and recording of certificates of general and limited partnership.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2240**—An act to amend Section 5360 of the Welfare and Institutions Code, relating to drug addicts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3052**—An act to add Section 330e to Chapter 10 of Title 9 of Part 1 of the Penal Code, relating to the manufacture, distribution and possession of punch boards.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 455**—An act to amend Section 1590 of the Financial Code, relating to the business of receiving and holding money in escrow and of acting as trustee under deeds of trust.

Bill read second time, and ordered to third reading.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.15 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
ANNOUNCEMENT REGARDING APPROPRIATION BILLS**

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 770 carries an appropriation.

The President ordered Senate Bill No. 770 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 262?

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "feral mammal", insert "or meat thereof".

**Amendment No. 2**

On page 1, line 15, of the printed bill, after "burro", insert a period.

**Amendment No. 3**

On page 1, line 15, of the printed bill, strike out "or meat thereof."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 262 by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 287**—An act to amend Section 3 of Chapter 12 of the Statutes of 1951, relating to transfer of jurisdiction of the Department of Motor Vehicles Building.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 287?

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "disposition of rentals from", and insert "transfer of jurisdiction of".

**Amendment No. 2**

On page 1, line 9, of the printed bill, strike out "The Department of Finance shall charge rent"; and strike out all of lines 10 to 20, inclusive, and insert "Such transfer shall constitute a reimbursement to the General Fund in the amount of the appraised value of such building as of the date vacated by the Department of Motor Vehicles against amounts derived from the General Fund and expended for capital outlay purposes for the Department of Motor Vehicles and the California Highway Patrol from the Postwar Employment Reserve and the Capital Outlay and Savings Fund."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 287 by the following vote:

AYES—Senators Berry, Brown, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Joint Resolution No. 22**—Relative to flood control works on Butte and Little Chico Creeks.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Joint Resolution No. 22?

#### Amendment No. 1

On page 2, line 18, of the printed measure, as amended in Senate March 12, 1953, strike out "Assembly", and insert "House of Representatives".

The roll was called, and the Senate concurred in Assembly amendment to Senate Joint Resolution No. 22 by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Above resolution ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 707**—An act to amend Sections 4651.4, 4655.2, 4656.4, 4656.6, and 4657, and to repeal Section 4657.4, of the Revenue and Taxation Code, relating to distribution of local property taxes and penalties.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 707?

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in Senate March 2, 1953, strike out the period, and insert ", relating to distribution of local property taxes and penalties."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 707 by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 553**—An act to add Section 2436 to the Business and Professions Code, relating to the practice of the healing arts.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 553?

#### Amendment No. 1

In line 6 of the printed bill, strike out "any person holding a", and insert "of 10 or more persons holding".

**Amendment No. 2**

In line 7 of the printed bill, strike out "certificate", and insert "or chiroprapist's certificates".

**Amendment No. 3**

In line 8 of the printed bill, strike out "shall", and insert "may".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 553 by the following vote:

**AYES**—Senators Ashare, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dwyer, Egan, Gannon, Grady, Hatfield, House, Ed. C. Johnson, Harold T. Johnson, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Above bill ordered enrolled.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1010**—An act to amend Sections 11712, 11713, 11714, 11715, and 11715.7 of, to add Section 11715.8 to, and to repeal Section 11715.6 of, the Health and Safety Code, relating to narcotics.

**Motion to Refer Bill to Inactive File**

Senator Tenney moved that Senate Bill No. 1010 be placed on the inactive file.

Motion carried.

**Senate Bill No. 1770**—An act to repeal Chapter 1, comprising Sections 1200 to 1251, inclusive, of Division 2 of the Health and Safety Code and to add Chapter 1 comprising Sections 1200 to 1237, inclusive, to Division 2 of said code, relating to the regulation and licensing of clinics and dispensaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Ashare, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dwyer, Egan, Gannon, Grady, Hatfield, Ed. C. Johnson, Harold T. Johnson, Montgomery, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1467**—An act to amend Section 8121.5 of, and to add Chapter 14 to Part 2 of Division 9 of, the Streets and Highways Code, relating to separation of grade districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Ashare, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dwyer, Egan, Gannon, Grady, House, Ed. C. Johnson, Harold T. Johnson, Montgomery, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, and Weybret—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 733**—An act to add Sections 5210, 5211, 5291, 5292, and 5293 to the Business and Professions Code, relating to regulation of outdoor advertising.

Bill read third time.



The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—24.

NOES—Senators Berry, Collier, Coombs, Donnelly, Hulse, Montgomery, and Murdy—7.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 190**—An act to amend Sections 1403 and 1411 of the Fish and Game Code, relating to burros.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 77**—An act to add Section 1352.2 to the Labor Code, relating to working hours of female employees.

Bill read third time.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Brown moved that the quorum call of the Senate be applied to the final passage of Senate Bill No. 77.

Motion carried.

**Senate Bill No. 359**—An act to amend Section 956 of, and to repeal Sections 957 and 1078 of, the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 151**—An act to add Article 7 to Chapter 2 of Division 4 of the Public Resources Code, relating to educational projects with respect to forests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, and Weybret—27.

NOES—Senator Hulse—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 157**—An act to amend the heading of Chapter 3 of Division 4 of, to amend Sections 4451, 4452, 4453, 4454, and 4455 of, and to add Section 4454.5 to, the Public Resources Code, relating to forest insect and plant disease control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Alshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Feltz, Gentry, Hatfield, Hutton, Ed C. Johnson, McGowan, Moore, Murphy, Harold T. Johnson, Miller, Montague, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Williams, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2503**—An act to add Sections 337.5, 337.6, 337.10, 337.11, 337.8, 337.1, 337.9, 337.2, 337.3, 337.4, 344.1, 346.1, 346.2, 348, 348.4, 336.6, 336.9, 337, 337.1, 337.2, 337.3, 337.4, 344.1, 346.1, 346.2, 348, 348.4, 348.8, 349.2, 349.4, 349.7, 349.8, 349.9, 350.1, 350.2, and 358 of, the Agricultural Code, and to repeal Sections 346.2, 344.1, 344.4, 344.5, 344.6, 337.1, and Article 16 of Chapter 2 of Division 3 of said code, all relating to hide and brand inspection and slaughter of cattle.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Alshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Feltz, Gentry, Hatfield, Hutton, Ed C. Johnson, McGowan, Moore, Murphy, Murray, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Williams, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 544**—An act to add Section 504.5 to the Agricultural Code, relating to standards and labeling for export market.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Alshire, Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Feltz, Gentry, Hatfield, Hutton, McGowan, Moore, Montgomery, Murray, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Williams, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 545**—An act to add Section 639.5 to the Agricultural Code, relating to standards and labeling for eggnog.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Alshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Donnelly, Dorsey, Feltz, Gentry, Hatfield, Hutton, McGowan, Moore, Montgomery, Murray, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 621**—An act to amend Sections 796.1, 796.2, 828.83, and 829.1 of and to add Section 196.6 to the Agricultural Code, relating to fruit and vegetable standards and containers.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Busch, Collier, Coombs, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 623**—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts, or vegetables.

Bill read third time, and presented by Senator Cunningham.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, McCarthy, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2505**—An act to amend Sections 380.51, 380.55, 380.56, 380.58, 380.62, and 380.70 of, and to repeal Sections 380.52 and 380.57 of the Agricultural Code, relating to hide and brand inspection and slaughter of animals other than bovine animals.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, McCarthy, Miller, Montgomery, Murdy, Parkman, Powers, Tenney, Thompson, Way, and Weybret—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.15 p.m., on motion of Senator Brown, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 77 passed by the following vote:

**AYES**—Senator Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Desmond, Dilworth, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, McCarthy, Murdy, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—Senators Collier, Coombs, Donnelly, Harold T. Johnson, Miller, Montgomery, O'Gara, and Regan—8.

Bill ordered transmitted to the Assembly.

## REQUEST FOR UNANIMOUS CONSENT

Senator Brown asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Working Hours of Women, printed in the Journal:

## OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, April 7, 1953

*Honorable Charles Brown*  
*Senate Chamber*

*Working Hours of Women—No. 8224*

DEAR SENATOR BROWN: You have asked for our opinion as to the following question:

*Question*

If Senate Bill No. 77, as amended in Senate March 27, 1953, becomes law, could the Industrial Welfare Commission acting under Section 1182 of the Labor Code, fix the maximum working hours of "resort workers" as defined in the bill?

*Opinion*

In our opinion the answer is "yes."

*Analysis*

Article 1 (comprising Sections 1350 to 1356, inclusive) of Chapter 3, Part 4, Division 2, of the Labor Code now fixes the maximum working hours for women in specified establishments or industries at eight hours in one day and 48 hours in one week.

Senate Bill No. 77, as amended in Senate March 27, 1953, would exempt from said Article 1 "persons employed by a seasonal resort employer during the resort season."

Section 1182, of the Labor Code, which is not in the article affected by Senate Bill No. 77, authorizes the Industrial Welfare Commission to fix, among other things:

"(b) The maximum hours of work consistent with the health and welfare of women and minors engaged in *any occupation, trade or industry* in this State. *The hours so fixed shall not be more than the maximum now or hereafter fixed by law.*"

Unlike Section 1350, which, in fixing the eight-hour day, 48-hour week limit, is limited to specified industries and establishments, Section 1182 applies to any occupation, trade or industry, and could apply both to industries and establishments covered by Section 1350 and those not so covered.

In declaring that the hours fixed pursuant to Section 1182 "shall not be more than the maximum now or hereafter fixed by law," the Legislature clearly indicated that the sections could overlap—that is, that the commission could regulate hours in an establishment or industry covered by Section 1350, provided the regulation did not authorize such an establishment or industry to violate the eight-hour day, 48-hour week, provision applicable to such establishment or industry by virtue of Section 1350.



In view of the above we are of the opinion that if Senate Bill No. 77 becomes law the Industrial Welfare Commission could, acting under Section 1182 of the Labor Code, fix the maximum hours of "resort workers" as defined in the bill.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By A. C. MORRISON, Deputy

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time 3.17 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 2526**—An act to amend Sections 1010, 1011, and 1012 of the Agricultural Code, relating to spray residue.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2535**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator O'Gara moved that Assembly Bill No. 1343 be taken from the inactive file and placed on the second reading file.

Motion carried.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 3.30 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolution was offered:

**Senate Concurrent Resolution No. 53:** By Senators Way, O'Gara, McCarthy, Busch, and Collier—Relative to the acquisition by the State of "Fern Canyon."

Referred to Committee on Natural Resources.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

**Assembly Bill No. 1993**—An act to amend Sections 32001 and 32002 of the Health and Safety Code, relating to hospital districts and validating certain proceedings with respect to such districts;

And appointed Messrs. Waters, Beck, and Allen as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 22

Assembly Constitutional Amendment No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read:

**Assembly Constitutional Amendment No. 22**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 1c of Article XIII thereof, relating to the taxation of religious, hospital or charitable properties.

Referred to Committee on Revenue and Taxation.

**Assembly Constitutional Amendment No. 28**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Judiciary.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 54  
Assembly Bill No. 415  
Assembly Bill No. 509  
Assembly Bill No. 560  
Assembly Bill No. 562  
Assembly Bill No. 730  
Assembly Bill No. 731  
Assembly Bill No. 820  
Assembly Bill No. 831  
Assembly Bill No. 832

Assembly Bill No. 852  
Assembly Bill No. 1229  
Assembly Bill No. 1299  
Assembly Bill No. 1347  
Assembly Bill No. 1348  
Assembly Bill No. 1515  
Assembly Bill No. 2323  
Assembly Bill No. 2650  
Assembly Bill No. 2818  
Assembly Bill No. 3471

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By ROBERT S. THURN, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 54**—An act to add Sections 32005, 32006, 32007, 32008, 32009, 32010 and 32011 to the Health and Safety Code, and to add Chapter 5 to Division 23 thereof, relating to hospital districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 415**—An act to repeal Section 13106 of the Government Code, and to add Section 6210.8 to the Public Resources Code, relating to the sale of abandoned river or slough channels by the State.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 509**—An act to amend Sections 3, 6, 10, and 13 $\frac{1}{2}$  of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915) and to add Sections 14 $\frac{1}{2}$  and 16 $\frac{1}{2}$  to that act, relating to the powers and duties of the Los Angeles County Flood Control District.

Referred to Committee on Local Government.

**Assembly Bill No. 560**—An act to amend Section 258 of the Code of Civil Procedure and Section 70141 of the Government Code, relating to court commissioners.

Referred to Committee on Judiciary.

**Assembly Bill No. 562**—An act to amend Section 261c of the Code of Civil Procedure and Section 69900 of the Government Code, relating to superior court employees in counties, or cities and counties, having a population between 750,000 and 900,000.

Referred to Committee on Judiciary.

**Assembly Bill No. 730**—An act to amend Section 6358 of the Education Code, relating to school district taxes.

Referred to Committee on Education.

**Assembly Bill No. 731**—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts.

Referred to Committee on Education.

**Assembly Bill No. 820**—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Referred to Committee on Judiciary.

**Assembly Bill No. 831**—An act to amend Section 1532 of the Probate Code, relating to sales on credit by a guardian.

Referred to Committee on Judiciary.

**Assembly Bill No. 832**—An act to amend Section 787 of the Probate Code, relating to sales on credit by an executor or administrator.

Referred to Committee on Judiciary.

**Assembly Bill No. 852**—An act to add Sections 7518 and 7519 to the Education Code, relating to a levy of a tax sufficient to meet payments on school bonds.

Referred to Committee on Education.

**Assembly Bill No. 1229**—An act to repeal Title 10a, comprising Sections 1650 to 1681, inclusive, of Part 3 of the Code of Civil Procedure, and to add a new Title 10a, comprising Sections 1650 to 1690, inclusive, to Part 3 of said code, providing a civil and criminal procedure for enforcement of the duties of support.

Referred to Committee on Judiciary.

**Assembly Bill No. 1299**—An act to amend Section 11620 of the Health and Safety Code, relating to forfeiture of vehicles used in the transportation of narcotics.

Referred to Committee on Judiciary.

**Assembly Bill No. 1347**—An act to amend Section 5837 of the Streets and Highways Code, relating to maintenance districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1348**—An act to add Section 5854 to the Streets and Highways Code, and Section 487.5 to the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1515**—An act to add Section 32100.6 to the Health and Safety Code, relating to the recall of members of the board of directors of hospital districts.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2323**—An act to add Section 5497.5 to the Labor Code, relating to workers' compensation.

Referred to Committee on Labor.

**Assembly Bill No. 2650**—An act to add Section 7099.5 to the Business and Professions Code, relating to contractors.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2818**—An act to add Section 25466 to the Government Code, relating to changes in county construction contracts.

Referred to Committee on Local Government.

**Assembly Bill No. 3471**—An act to amend Section 10264 of the Education Code, relating to driver education in secondary schools.

Referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 42

Senator Hatfield moved that Senate Bill No. 42 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 42**—An act to add Part 15 to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read second time.



**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate March 17, 1953, after line 26, insert

"10101.5. As used in this part "local agency" means a county, city, public corporation, or public district of this State."

**Amendment No. 2**

On page 2, line 8, of said bill, as amended, strike out "public", and insert "local".

**Amendment No. 2.5**

On page 2, line 9, of said bill, as amended, after "agencies", insert "upon their request".

**Amendment No. 3**

On page 2, line 12, of said bill, as amended, strike out "public", and insert "local".

**Amendment No. 4**

On page 2, line 13, of said bill, as amended, after "Plan", insert "and such developments shall be coordinated therewith".

**Amendment No. 4.5**

On page 2, line 15, of said bill, as amended, strike out "public districts", and insert "local agencies".

**Amendment No. 5**

On page 2, line 17, of said bill, as amended, strike out "district", and insert "local agency".

**Amendment No. 6**

On page 2, line 19, of said bill, as amended, strike out "district", and insert "local agency".

**Amendment No. 7**

On page 2 of said bill, as amended, strike out lines 23 and 24, and insert "just and reasonable. The".

**Amendment No. 8**

On page 2, line 29, of said bill, as amended, strike out "cost, and that part", and insert "charges determined by the board to be just and reasonable, and that portion".

**Amendment No. 9**

On page 2, line 30, of said bill, as amended, strike out "district", and insert "local agency".

**Amendment No. 10**

On page 2, line 33, of said bill, as amended, strike out "at cost" and "public", and insert "local".

**Amendment No. 11**

On page 2, line 37, of said bill, as amended, strike out "public district", and insert "local agency".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 152**

Senator Regan moved that Senate Bill No. 152 be withdrawn from Committee on Natural Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 152**—An act to amend Section 4939 of the Public Resources Code and Section 4 of Chapter 85 of the Statutes of 1945, relating to district forest practice committees.

Bill read second time.

**Motion to Amend**

Senator Regan moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "1939", insert "Operating expenses of the District Forest Practice Committees, subject to prior approval of the State Forester or his designated representative, shall be paid from the support appropriation of the Division of Forestry."

**Amendment No. 2**

On page 1, line 5, of said bill, strike out "their actual necessary", and insert "a per diem allowance in an amount fixed by the State Board of Control in lieu of".

**Amendment No. 3**

On page 2, line 3, of said bill, after the period, insert "Operating expenses of the District Forest Practice Committees, subject to prior approval of the State Forester or his designated representative, shall be paid from the support appropriation of the Division of Forestry."

**Amendment No. 4**

On page 2, line 5, of said bill, strike out "their actual necessary", and insert "a per diem allowance in an amount fixed by the State Board of Control in lieu of".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 654**

Senator Grunsky moved that Senate Bill No. 654 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 654**—An act to amend Section 305 of the Vehicle Code, relating to revocation of licenses of juvenile offenders to operate a motor vehicle.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "may", and insert "shall also".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 656**

Senator Grunsky moved that Senate Bill No. 656 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 656**—An act to amend Section 880 of the Welfare and Institutions Code, relating to transfer of juvenile traffic cases.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "petition", insert "or citation for a traffic offense".

**Amendment No. 2**

On page 1, line 6, of said bill, after the first "petition", insert "or citation for a traffic offense".

**Amendment No. 3**

On page 1, line 6, of said bill, after the second "petition", insert "or citation for a traffic offense".

**Amendment No. 4**

On page 1, line 10, of said bill, after "court", insert ", in the case of a petition,".

**Amendment No. 5**

On page 1, line 16, of said bill, after "court", insert "in the case of a petition,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 659**

Senator Grunsky moved that Senate Bill No. 659 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 659**—An act to amend Section 720 of the Welfare and Institutions Code, relating to juvenile traffic cases.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "720", insert "and to add Article 7.5 to Chapter 2 of Division 1".

**Amendment No. 2**

On page 1 of said bill, strike out line 12, and insert

"(d) A notice to appear issued by any peace officer pursuant to Article 7.5".

**Amendment No. 3**

On page 1 of said bill, after line 12, insert

"SEC. 2. Section 7.5 is added to Chapter 2 of Division 1 of said code, to read:

**Article 7.5. Citations for Traffic Offenses**

761. Whenever any person under the age of 18 years is arrested for a violation of any provision of the Vehicle Code constituting a misdemeanor, or for violation of a traffic ordinance, the arresting officer shall prepare in duplicate a notice containing the name and address of the person arrested; the name and address of the parent, guardian, or other person having custody or control of the minor, if such information is known or ascertainable by the arresting officer; the license number of the vehicle, if any, of the person arrested; and the offense charged. The arresting officer shall deliver one copy of the notice to the arrested person who shall, in order to secure release, sign the duplicate notice thereby giving his written promise to appear at the time and place to be specified by the clerk of the court in the subsequent citation. Thereupon the officer shall forthwith release the person arrested from custody.

762. The arresting officer shall immediately file the duplicate notice with the clerk of the juvenile court in the county where the arrested person lives. The clerk shall thereupon deliver or mail to the person arrested a citation directing him to appear before juvenile court at the time and place specified in the citation. The time specified for the hearing shall be within 10 days after the commission of the alleged offense. The clerk shall also give written notice to the parent, guardian, or other person having custody or control of the person cited, if known, of the name of the person cited, the date and the nature of the offense alleged, and of the time when and place where the hearing is to be held. Such citation and notice must be delivered or deposited in the

post office in time to reach the recipient at least 24 hours before the time stated therein for the hearing."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 660

Senator Grunsky moved that Senate Bill No. 660 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 660**—An act to add Article 2.5 to Chapter 2 of Part 1, Division 2, of the Welfare and Institutions Code, relating to juvenile traffic courts.

Bill read second time.

##### Motion to Amend

Senator Grunsky moved the adoption of the following amendments:

##### Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "The juvenile traffic court shall hear and determine all cases within the jurisdiction of the juvenile court involving a person under the age of 18 years who is arrested for a violation of any provision of the Vehicle Code constituting a misdemeanor or for a violation of a traffic ordinance."

##### Amendment No. 2

On page 1, line 15, of said bill, strike out "as judges" and strike out line 16, and insert "in the juvenile traffic court with all of the powers of a judge of such court."

##### Amendment No. 3

On page 1, line 23, of said bill, after "the", insert "presiding".

##### Amendment No. 4

On page 1, line 23, of said bill, strike out "who"; and strike out lines 24 and 25, and insert a period.

##### Amendment No. 5

On page 1 of said bill, strike out lines 26, 27, and 28, and insert "592. The Department of Motor Vehicles shall provide each juvenile traffic court with forms for use in reporting disposition of cases. Each judge of the juvenile traffic court shall report the disposition of each case heard by him on the form and shall transmit two copies thereof to the presiding judge of the juvenile court. The presiding judge of the juvenile court shall, at the end of each calendar month, transmit to the Department of Motor Vehicles one copy of all forms on which are reported disposition of cases for that calendar month."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 743

Senator Gibson moved that Senate Bill No. 743 be withdrawn from Committee on Water Resources for purpose of amendment and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 743**—An act to amend Sections 1, 2, 4.3, 5, 5.1, 5.2, 6.4, 9.1 and 10.1 of, and to add Section 5.9 to, the Solano County Flood Control and Water Conservation District Act (Chapter 1656 of the



Statutes of 1951), relating to the Solano County Flood Control and Water Conservation District.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate March 23, 1953, strike out "6.4,".

**Amendment No. 2**

On page 4 of said bill, strike out lines 18 to 27, inclusive.

**Amendment No. 3**

On page 4, line 28, of said bill, strike out "9.", and insert "8."

**Amendment No. 4**

On page 4, line 45, of said bill, strike out "10.", and insert "9."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 996**

Senator Tenney moved that Senate Bill No. 996 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 996**—An act to create a court service division of the municipal court of the Los Angeles Judicial District and providing for the establishment of court service divisions in the municipal courts of Los Angeles County.

Bill read second time.

**Motion to Amend**

Senator Tenney moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate March 10, 1953, strike out lines 34 and 35.

**Amendment No. 2**

On page 2, line 36, of said bill, as amended, strike out "Three", and insert "Two".

**Amendment No. 3**

On page 2, line 38, of said bill, as amended, strike out "Four", and insert "Five".

**Amendment No. 4**

On page 2, line 40, of said bill, as amended, strike out "Four", and insert "Five".

**Amendment No. 5**

On page 3 of said bill, as amended, strike out lines 25 to 35, inclusive, and insert "Sec. 2. There is hereby created in each municipal court in a judicial district in Los Angeles County other than the Los Angeles Judicial District a court service division for that judicial district. The court service division hereby created shall become operative in the judicial district whenever a majority of the judges of the municipal court in the judicial district adopts a resolution, or if there is only one judge in the judicial district whenever said judge shall make an order, electing to operate the court with a court service division rather than through the Marshal of the County of Los Angeles. Upon the adoption of the resolution or making of the order, the court service division of said court shall become operative separate and apart from the Marshal's Office of the County of Los Angeles."

**Amendment No. 6**

On page 3, line 36, of said bill, as amended, after "resolution", insert "or order".

**Amendment No. 7**

On page 3, line 40, of said bill, as amended, after "resolution", insert "or order".

**Amendment No. 8**

On page 3 of said bill, as amended, between lines 42 and 43, insert

"Upon such appointment, by resolution or order as aforesaid, the superintendent of each such court service division shall have the following rating and salary:

In each municipal court established in a judicial district having three or more judges authorized by law such superintendent shall have the rating of captain and shall receive a salary equivalent to that established for captain of the Marshal's Office of the County of Los Angeles. In each municipal court established in a judicial district having less than three judges authorized by law such superintendent shall have the rating of lieutenant and shall receive a salary equivalent to that established for lieutenant of the Marshal's Office of the County of Los Angeles."

**Amendment No. 9**

On page 3, line 43, of said bill, as amended, after "resolution", insert "or the making of said order".

**Amendment No. 10**

On page 3, line 48, of said bill, as amended, after "resolution", insert "or order".

**Amendment No. 11**

On page 3, lines 50 and 51, of said bill, as amended, strike out ", upon the effective date of this act".

**Amendment No. 12**

On page 4 of said bill, as amended, strike out line 1; and in line 2, strike out "as in this section provided, by", and insert "Whenever a court service division becomes operative in".

**Amendment No. 13**

On page 4, lines 5 and 6, of said bill, as amended, strike out ", if any."

**Amendment No. 14**

On page 4, line 7, of said bill, as amended, strike out "Section 1 of".

**Amendment No. 15**

On page 4, line 9, of said bill, as amended, strike out ", except salaries".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1123**

Senator Sutton moved that Senate Bill No. 1123 be withdrawn from Committee on Public Health and Safety for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1123**—An act to add Section 4462 to the Health and Safety Code, relating to fishing in water supplies.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "shall", insert ", as soon as possible,".

**Amendment No. 2**

On page 1, line 11, of said bill, strike out "such", and insert "if such findings indicate that public fishing may be permitted without adversely and unreasonably affecting the water for domestic or other beneficial uses, the".

**Amendment No. 3**

On page 1, line 11, of said bill, after "in", insert "any or all of".

**Amendment No. 4**

On page 1 of said bill, strike out lines 14 and 15, and insert "If a petition to open a water supply to public fishing made under the provisions of this section is rejected as to all or part of that water supply, a second petition to open for public fishing the water supply with respect to which the previous petition was rejected shall not be permitted for one year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1529**

Senator Grunsky moved that Senate Bill No. 1529 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1529**—An act to add Chapter 1c to Division 5 of the Agricultural Code, relating to cauliflower and broccoli for processing.

Bill read second time.

**Motion to Amend**

Senator Grunsky moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "and broccoli".

**Amendment No. 2**

On page 1, line 4, of said bill, strike out "and broccoli".

**Amendment No. 3**

On page 1, line 7, of said bill, strike out "and broccoli".

**Amendment No. 4**

On page 1 of said bill, strike out lines 8 and 9, and insert "meet the standards prescribed in this chapter.

779.1. As used in this chapter:

(a) "Processing purposes" means the packing of commercially frozen cauliflower.

(b) "Head" means that portion of the cauliflower which is obtained when the protecting green outside leaves and excessive stalk have been removed by cutting off the butt on a straight line across the base of the head, however, the line of cut shall be such as not to remove any florets.

779.2. Heads shall be fresh, compact, and of proper size.

(a) Fresh means that the head does not show visible evidence of wilting.

(b) Compact means that the flower clusters are closely united, and the head is solid.

(c) Proper size means that the head shall be at least five (5) inches in diameter when measured across the head at the largest diameter.

779.3. Heads shall not be fuzzy, ricey, bruised, discolored, overmature, or contain dirt or other foreign material, or be affected by mechanical injury or internal discoloration.

(a) Fuzzy means that on more than 50 percent of the surface area of the head there is a distinct "fuzzy" condition.

(b) Ricey means that the flower clusters have elongated, or the head has a granular appearance, and either one or both of these conditions affect more than 25 percent of the surface area of the head.

(c) Discolored means that discoloration caused by sunburn, field frost, bruising, mechanical injury, or other means, other than normal characteristic color associated with variety characteristics, and is considered serious when the discoloration extends over more than 50 percent of the surface area, or materially affects the freezing quality of the head.

(d) Overmature means that the head has developed to a degree that it is no longer compact, and fails to meet the condition described in subdivision (b) of Section 779.2, or has become discolored because of overmaturity more than the amount described in subdivision (c) of this section.

(e) Dirt or other foreign material means that dirt or other foreign material which cannot be removed in the ordinary method of processing, and is considered serious when the dirt or other foreign material materially affects more than 25 percent of the surface area of the head.

(f) Internal discoloration of the head means distinct green or purple color on the surface of the head or the stem of the floret or other off color within the head, that materially affects the freezing quality of the head.

779.4. Individual florets shall be free from insect damage, mold, decay, bruising, mechanical injury, yellow color, watersoaking, fuzziness, richness, discolored, dirt, and internal discoloration.

(a) Individual florets shall be determined by the following method: When the head has been separated from the protecting outer leaves as provided in subdivision (b) of Section 779.1, the head shall be placed on a flat surface and quartered, the inside base stem shall then be cut out, and the individual portions which are thus removed from the base stem shall be considered single pieces, or individual florets. No further separation shall be permitted, even though two florets may still be attached, and for the purpose of inspection such pieces shall be considered "individual florets."

(b) Insect damage shall mean any surface discoloration or penetration by insects on the individual floret.

(c) Mold shall mean the presence of mold in any form on the individual floret.

(d) Decay means decomposition from any cause on the individual floret.

(e) Bruising or mechanical injury means that individual florets have become discolored, scarred, or mashed from this cause.

(f) Yellow color means that color which is not as light as cream yellow.

(g) Watersoaked cauliflower is considered to be damaged from this cause when it materially affects the freezing quality.

(h) Fuzziness means that there is a distinct "fuzzy" condition affecting the surface of the floret.

(i) Richness means that the flower clusters have elongated, or the surface of the floret has a granular appearance.

(j) Discolored means that discoloration which appears on the surface of the floret when caused by sunburn, field frost, bruising, mechanical injury, or other means, other than normal characteristic color associated with variety characteristics.

(k) Dirt or other foreign material means that dirt or other foreign material which cannot be removed from the floret in the ordinary method of processing.

(l) Internal discoloration means a distinct green or purple color on the surface of the head or stem of the floret, or color off color within the floret which materially affects the freezing quality of the cauliflower.

779.5. Any load of cauliflower offered for delivery to a processor for processing purposes shall be rejected and turned back to the grower if more than twenty-five percent (25%) by weight of the load is defective.

(a) In addition to the above tolerance for defects, twenty percent (20%) by count of the heads in any lot of cauliflower may be less than five (5) inches in diameter, provided however, no heads in this additional tolerance shall be less than four (4) inches in diameter.

(b) To determine the total weight of heads in the sample, all cauliflower immediately upon being taken from the load as a representative sample for inspection by the director shall be weighed as is, then trimmed as defined in subdivision (b) of Section 779.1 and the weight of the protecting green outside leaves and excessive stalk which has been removed shall be subtracted from the total weight of the sample, and the resultant weight is considered to be the weight of heads in the sample.

(c) To determine the amount of cauliflower in a load that is considered defective, as determined by inspection of a representative sample, the weight of those heads which fail to meet the requirements of Sections 779.2 and 779.3 shall be combined with the weight of individual florets which fail to meet the requirements of Section 779.4 and the total applied to the total weight of heads in the load to arrive at the percentage of defective cauliflower in the load.

779.6. It is unlawful for any person to make delivery or accept delivery of cauliflower for processing purposes, or to process as commercially frozen cauliflower, any cauliflower which has not first been inspected and certified as provided in this chapter, or which has been rejected as provided in Section 779.5. Any load which has been rejected as provided in Section 779.5 may be reconditioned to comply with the standards, however, no processor shall receive or process such reconditioned cauliflower until such load has been reinspected and a certificate issued by the director.

779.7. When it has been determined by inspection of a representative sample that a load of cauliflower for processing has seventy-five percent (75%) by weight of the heads or parts of heads that are suitable for processing purposes, the sample shall then be graded for characteristic color into two grades as defined below.

(a) Those heads which are white shall be classed as Grade A cauliflower, and all heads shall be considered as white unless they have a light-cream color, however, in



broccoli-type cauliflower, an off-white shall be considered as Grade A cauliflower; provided further, that broccoli type cauliflower shall not be considered Grade A when it has attained a light-cream color.

(b) Those heads which are light cream color, but are not cream-yellow color shall be classed as Grade B cauliflower.

(c) (1) In some instances a head of mostly white cauliflower will have individual florets which are not white, but are light-cream color, and such individual florets shall not be graded as Grade A, instead they shall be separated from the head and placed in the Grade B classification.

(2) In some instances a head of mostly light cream color will have individual florets which are not light cream color, but are white, and such individual florets shall not be graded as Grade B, instead those florets which are white shall be separated from the head and placed in the Grade A classification.

(3) Any florets on heads of cauliflower which have a yellow color shall have these yellow-colored florets separated from the head prior to grading the head for Grade A or Grade B.

779.8. The director shall inspect all deliveries of cauliflower for processing purposes. Such inspection shall be made within twelve (12) hours from the time the delivery arrived at the location of grading. If the director finds that a load of cauliflower being delivered conforms with the standards of Sections 779.2, 779.3, 779.4, and 779.5 as being suitable for processing purposes, he shall issue a certificate showing weight of head cauliflower in the sample and the percentage of Grade A, Grade B, and defective cauliflower in the load.

779.9. Inspection shall be performed at a processing plant, or at a receiving station established or designated by the processor. The director shall not be required to perform inspection at any processing plant or receiving station until adequate inspection facilities are provided.

780. The director may enter upon any premises, vehicle, loading platform, or any building or processing plant for the purpose of inspection. The director may take a representative sample for purpose of inspection, and may subject such samples to any method of inspection or testing.

780.1. The director may seize and hold any lot or load of cauliflower which in his judgment may be necessary for inspection purposes.

780.2. The director may prescribe methods of selecting samples of a lot or load of cauliflower for processing purposes, which shall be reasonably calculated to produce by such sampling fair representations of the entire lot or load sampled.

780.3. The director may promulgate and enforce such other rules and regulations as are necessary for the enforcement of this chapter.

780.4. The director shall adopt a schedule of uniform fees to defray the cost of the required inspection and certification. Each processor receiving deliveries of cauliflower for processing is hereby designated the agent of the director to collect such fees. The cost of inspection and certification is to be borne equally by grower and processor. Any money collected and remitted to the director and not used may be returned to the processors and growers from whom the money was originally collected, in proportion to their several interests.

780.5. The inspection certificate issued by reason of the provisions of this chapter shall be prima facie evidence of the weight of head cauliflower in the load, and the percentage of Grade A and Grade B, and defective cauliflower in the load according to the definitions of these factors provided in this chapter.

780.6. Cauliflower, when being harvested, shall be properly trimmed. Properly trimmed means that enough jacket leaves or protecting green outside leaves are left attached to the main stalk to protect the head from bruising or mechanical injury when it is handled or transported to the processing plant."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1620

Senator Abshire moved that Senate Bill No. 1620 be withdrawn from Committee on Social Welfare for purpose of amendment and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1620**—An act to add Section 1509 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

## Motion to Amend

Senator Abshire moved the adoption of the following amendments:

## Amendment No. 1

In line 1 of the title of the printed bill, strike out "1509", and insert "1552.41".

## Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 1552.41 is added to the Welfare and Institutions Code, to read:

1552.41. Notwithstanding the provisions of Section 1552.4, it shall be the primary responsibility of the district attorney of each county to investigate every application for aid under this chapter to establish whether or not a parent is financially capable of providing support for a needy child. All records of the county relating to such application for aid shall be made available to the district attorney for this purpose."

## Amendment No. 3

On page 1 of said bill, strike out lines 3 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1844

Senator Miller moved that Senate Bill No. 1844 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1844**—An act to repeal Sections 8812 and 8815 of, to amend Section 8811 of, and to add Section 8819.5 to, the Education Code, relating to junior colleges.

Bill read second time.

## Motion to Amend

Senator Miller moved the adoption of the following amendments:

## Amendment No. 1

On page 1, lines 1 and 2 of the title of the printed bill, as amended in Senate March 23, 1953, strike out "Section", and insert "Sections 4628 and".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 2

On page 1, following line 18 of said bill, as amended, insert

"SEC. 4. Section 4628 of said code is amended to read:

4628. The governing board of a unified school district *which has an average daily attendance of 3,500 or more pupils in grades 9 through 12 as shown by the last reports of the teachers in the district and a total assessed valuation of at least one hundred million dollars (\$100,000,000)*, in addition to the powers conferred by Section 4627 [has] *may exercise such powers* [and duties] as are granted by law to governing boards of all junior college districts."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

## Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:  
Assembly Concurrent Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 577

Senate Bill No. 578

Senate Bill No. 1945

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 790

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 530

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; absent 4.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 1348

Senate Bill No. 1766

Senate Bill No. 1767

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 10; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, April 6, 1953

**MR. PRESIDENT :** The Committee on Elections, to which were referred :

Senate Bill No. 347

Assembly Bill No. 1085

Assembly Bill No. 490

Assembly Bill No. 1087

Assembly Bill No. 1069

Assembly Bill No. 1088

Assembly Bill No. 1075

Assembly Bill No. 1089

Assembly Bill No. 1083

Assembly Bill No. 1095

Assembly Bill No. 1084

Has had the same under consideration, and reports the same back with the recommendation : Do pass.

Committee membership 7 ; committee vote : Ayes 4 ; absent 3.

DILWORTH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 6, 1953

**MR. PRESIDENT :** The Committee on Elections, to which were referred :

Assembly Bill No. 1068

Assembly Bill No. 1079

Assembly Bill No. 1092

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass as amended.

Committee membership 7 ; committee vote : Ayes 4 ; absent 3.

DILWORTH, Chairman

Above reported bills ordered to second reading.

**ADJOURNMENT**

At 3.37 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 8, 1953.

JOHN F. LEA, Minute Clerk



## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FORTY-THIRD LEGISLATIVE DAY

FIFTY-SEVENTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO  
Wednesday, April 8, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Al Bowers of Palo Alto, and Lester Keaton and Mrs. Pauline Adams of San Jose.

On request of Senators Powers and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Beckeley of Berkeley.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. James E. Conklin of Lodi.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Carruthers, Mrs. Dennes, Miss Gillan, Mr. Jorgensen, and the following Senior Social Studies students of San Jose High School: Lorraine Narvarz, Shirley Neece, Lucille Bettencourt, Gerry Gish, Bob Riley, Yvonne Hoque, Louis Piro, Pete Cortez, Lupe Ordonez, Roland Atkinson, Fran Burchfield, Annie Farmer, Janice Farr, Rolfe Johnson,

Gerry Meyers, Gayle Angelo, Fay Koeppel, Karen Kinnear, Angie Lacavalla, Yvonne Draper, Lois Wagner, Lois Burton, Margaret Anderson, Norma Stout, Joan Billingsley, Carole Worthington, Barbara Noble, Josephine Cota, Hector Salcido, Frances Valdez, Jerry Atkins, Venora Smith, Keith Cutler, August Torres, Louise Mussig, Barbara Stewart, Michael Bondi, Charles Wise, Ken Scott, Pat Stephenson, Carolyn Nelson, Ira Fritz, John Emerson, Barbara Basler, Mits Fukumura, Jerry Method, Dionisio Rodriguez, Shirley Seymour, Paul Nava, Gene Smith, Shirley Tanaka, Ted Collinson, Gerald Kooyers, and James Spano.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Martha Dunn, Blanche Lindfesty, William Rankin, Marion Wheeler, and Bessie Ried, all of Norwalk.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to T. C. Osborn of Fresno, and Paul Branch of Pasadena.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Don Hanson of San Diego.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Mr. Louis M. Hamilton, adults Mrs. I. Blank, Mrs. Stockton, Mr. Reimer, Mrs. A. Coon, Mr. I. Schaffer, and the following students of Capay Joint Elementary School, Glenn County: John Lloyd, Bill Lloyd, Dennis Blank, George Krammar, Mark Stockton, Frank Lepp, Bob Kane, Cliff Penner, Marie Fitzgerald, Kathleen Fitzgerald, Janet Main, Joyce Knecht, Kay Woodward, John Silva, Verlene Reimer, Rita Haney, Joan Pitzer, Gladys Enns, Carlton Schaffer, Jack Ewert, Bud Schaffert, Rose Marie Schaffer, Patti Lawrence, and Sandra Holmes.

On request of Senator Murdy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Glenn Curtis of Brea and Everett Bannister of Santa Ana.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. W. Bramwell and Bill Lee of Chico.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert B. Hutchins of San Francisco.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Daniel Woodward, of the Tierra Buena School, Teacher Donald Thielor of Lincoln School, and the following students of the two schools: *Tierra Buena School*—Ruben Avalos, Robert Balderrama, Amer Chand, David Chavira, Marlene Conner, James Cummings, Charlean Curtis, Arlan Daniel, Connie Gillock, Roberta Jaeger, Norma Jensen, Rosetta Keech, Marina Linardos, Philip Nishikawa, Wayne Rogers, Gillette Swan, Mary Voboril, and Richard Wada; *Lincoln School*—Marion Thompson, Jane Takabayashi, Patricia Sams, Larry Phipps, David Rose, Sally Bailey, Peggy Chandler, Jack Cornell, David Hammons, Sherrill Williams, Sherri Catlett, Beverley Bennett, Benny Gonzales, Jimmy Uymoto, Darlene Inouye, La Versa King, Lavaughn King, Wilma Miller, Christy

Shinn, Marvin Thomas, Ronald Stoker, Bruce Adams, Veda Greathouse, Vincent Cancino, Eugene Steele, Wilma Woods, Lawrence Brown, and Carlyle Westbury.

On request of Senator Abshire, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. David Davini, President, Sonoma County Federation of Women's Clubs, Cloverdale; Mrs. W. R. Lippincott, Past President, Sonoma County Federation of Women's Clubs, Santa Rosa; Julie Ann Felciano, Ursuline Convent, Santa Rosa; Ella Mae Jasmann, Cloverdale Union High School, Cloverdale; Bettie Robbins, Healdsburg High School, Healdsburg; Lea Andrews, Geyserville Union High School, Geyserville; Bobbe Ingraham, Analy High School, Sebastopol; Shirley Hayden, Petaluma High School, Petaluma; Louise Grinde, Sonoma Valley Union High School, Sonoma; Leanne Leonard, Santa Rosa High School, Santa Rosa; Mrs. Richard McCollister, Mill Valley; and Mrs. F. Presley Abshire, Geyserville.

On request of Senators Abshire and Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. W. "Pop" Lampson of Lakeport and Lil Kickpatrick of Kelseyville.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mrs. Mooney and Mrs. Eunice Wilson, and the following Eighth Grade students from Roseville: Donavin Armstrong, Philip Arnett, Tommy Bennett, Frank Castro, Russell Collott, Jere Cox, George Cree, Barton Gale, Anthony Ferguson, Floyd Henley, Buddy La Perte, Don Lopez, Tim Mark, Wayne McAnally, Arthur Nichols, Jim Sevrens, Joe Shearer, David Summers, Janice Bona, Genevieve Carbone, JoAnn Dunning, Dona Fowler, Anita Gomez, Janice Hickman, Acelia Hamby, Lorraine Johnson, Melva Lehman, Rita Mazzuchi, Patty Nelson, Murvin Ogden, Sharon Piggott, Lavon Renfroe, Betty Shearer, Beryl Shoemaker, Sharon Stewart, Gail Ward, Patsy Williamson, Harry Baker, Bob Bennett, Frank Cervantes, Robert Coker, Lloyd Day, John Eggleston, Joe Franklin, Bob George, James Harris, Peter Karabinus, Gary Lechman, Larry Longway, Tommy McBride, Johnnie Miller, Calvin Ogden, Leonard Pot, John Schellinger, Bobby Tafoya, Vassie Chuches, Susan Dixon, Viola Gates, Darlene Johnson, Judy Lasick, Sandra Leak, Donna Miller, Elaine Murphy, Carol Oliver, Anne Otter, Claire Richey, Pat Schmitt, Jolei Schoof, Belva Short, Edna Spina, Shirley Williams, and Darlene Wright.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Myrtle Mason and Mrs. Grace Vann Miller and the following Fifth and Sixth grade students from Susanville: Patricia Williams, Martin Olsen, Diann Swigert, Elberta Olsen, Mary Olsen, and Alice Canter.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lewis J. Ferrari, sponsor, Gerald Cohn, supervisor, and the following students of Portola Junior High School: Corrine Godfrey, Patricia Wetzel, Nancy Martino, Jean Parker, Bob Rozura, Gerald Brown, Irene Daniels, Richard Young, Allan Verza, Jean Holland, Carolee Locke, Robert Pastorino, Ronald Davis, Dorothy Schiller, Mary Cravero, Loretta Pappin, Dick Anderson,

Larry Feldman, Albert Acri, Carol De Martini, Bob Mialovich, Marylynn Myers, Tom Nolan, Ray Camacho, Charon Williams, Ronald Sarrhini, Laurie Salvi, Robert Bidinost, Ramon Gigliati, Dave Degan, Richard Ristow, Loralee Rickards, Diane Ferreira, Irene Fune, Adriana Cupido, Yoshiko Takemato, Carl Taylor, Gail Estebez, Carolyn Lanpher, Carolyn Craus, Jerry Gregorie, Elsie Mahney, Virginia Yuen, George Haskell, Roberta Stewart, Dan Callaghan, Marjorie Chan, Beverly Garner, Willie Wilson, and Jack Boynton.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leaders Mrs. E. T. Thomas and Mrs. Kenneth Scotland, and the following members of the Daisy Blue Bird Group: Nancy Amaden, Barbara Beeghley, Patricia Carlson, Cheryl Clouse, Catherine Hattersley, Marcia MacDougall, Julie Merksamer, Sandra Rehn, Carol Ann Reifsnider, Suzanna Scotland, and Sally Thomas.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lee Gaither of Los Molinos.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Maxine Wemer and the following students of the David D. Bohannon School of San Lorenzo: Ronald Bateman, Bonnie Boorman, David Britt, Janet Brown, Sidney Dubin, William Dutra, Judy Ellis, Jeannette Fresquez, Valerie Gilmore, David Hansen, Daniel Hudson, Carol Johnson, Judith Johnson, Tex Jones, Judith Levey, Victor Lopes, Brian Marsh, Candy Micka, Robert Moore, Marilyn Mowbray, Judith Myers, David Noddin, Bobbie Silva, Keith Singleton, Mary Speck, Joan Souza, Larry Van Wegan, Sharon Warner, Robert Whitehead, Carolyn Williams, and Gary Crain.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert Lindsay of San Jose.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bartley Cavanaugh, City Manager of Sacramento.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James McKinley, ex-Senator from Los Angeles.

#### MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 8, 1953

*To the Senate of the State of California  
Sacramento, California*

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to Senate Bill 1332, entitled: "An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to John F. Thompson, Member of the Senate, at 7:15 o'clock p.m., on the seventh day of April, 1953, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor



STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, April 7, 1953

*To the Honorable Members of the Senate  
State of California  
Sacramento, California*

GREETINGS: I am returning herewith, without my signature,

**Senate Bill No. 1332**, entitled: "An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers."

My objections to this bill are as follows:

I do not believe this bill is consistent with the fiduciary relationship of a director of an insurance company who is responsible not only to stockholders of his company but also to the policy holders for the sound protection and investment of its reserves. So important is the public interest in this relationship and the insurance business generally, that the State regulates all insurance companies. I have inquired if the existing law is a hardship on our insurance companies, and have been advised by people with an intimate knowledge of the subject that so far as they are informed no insurance company in this State is embarrassed by it.

I believe it is not sound practice either in government or in a fiduciary relationship to permit an officer to contract with himself or others to serve his own financial interests through his official actions. This principle would be violated by this bill, which would permit a partner or director of a stock exchange firm, as a director of an insurance company, to deal on behalf of that company with his own firm and to profit financially thereby.

I note also that life insurance companies have not been included in this amendment, and I see no reason for the distinction. If it is lawful for directors of one type of insurance company to engage in such practices, it should be legal for all.

It has been argued that some other states permit such practices, but the argument is not convincing to me when it permits a conflict of interest as provided in this bill.

Respectfully submitted,

EARL WARREN, Governor

Message read.

Senate Bill No. 1332 ordered placed on unfinished business file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 849

Assembly Bill No. 1940

Assembly Bill No. 2763

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 702

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 173

Senate Bill No. 393

Senate Bill No. 682

Senate Bill No. 789

Senate Bill No. 1021

Senate Bill No. 1605

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 15  
Senate Concurrent Resolution No. 48  
Senate Joint Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 100  
Senate Bill No. 249  
Senate Bill No. 314  
Senate Bill No. 528  
Senate Bill No. 548  
Senate Bill No. 549  
Senate Bill No. 658  
Senate Bill No. 677

Senate Bill No. 679  
Senate Bill No. 685  
Senate Bill No. 724  
Senate Bill No. 746  
Senate Bill No. 880  
Senate Bill No. 881  
Senate Bill No. 1295

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 5**—Relative to the proposal of the Federal Communications Commission to withdraw radio-telegraph frequencies used by the California State Department of Agriculture in its Federal State Market News Service; And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 683**—An act to amend Section 1953i of the Code of Civil Procedure, relating to uniform photographic copies of business and public records as evidence;

**Senate Bill No. 736**—An act to amend Section 304.3 of the Code of Civil Procedure and Sections 68090 and 68091 of the Government Code, relating to fees of interpreters and translators;

**Senate Bill No. 820**—An act to add Section 1086.2 to the Military and Veterans Code, relating to the Woman's Relief Corps Home;

**Senate Bill No. 951**—An act to add Section 1176.7 to the Insurance Code, relating to the authority of insurers to take purchase money mortgages or deeds of trust;

**Senate Bill No. 1135**—An act to amend Section 14455.1 of the Health and Safety Code, relating to fire protection districts;

**Senate Bill No. 1232**—An act to add Section 870.5 to the Agricultural Code, relating to olives;

**Senate Bill No. 1527**—An act to add Section 316.5 to the Agricultural Code, relating to inspection of vehicles used in transportation of meat;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1953, at 10 a.m.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 380	Senate Bill No. 1297
Senate Bill No. 1288	Senate Bill No. 1298
Senate Bill No. 1289	Senate Bill No. 1299
Senate Bill No. 1290	Senate Bill No. 1300
Senate Bill No. 1291	Senate Bill No. 1301
Senate Bill No. 1292	Senate Bill No. 1303
Senate Bill No. 1293	Senate Bill No. 1304
Senate Bill No. 1296	

And reports the same correctly engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 644	Senate Bill No. 956
Senate Bill No. 652	Senate Bill No. 1207

And reports the same correctly engrossed.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1941

And reports the same correctly re-engrossed.

POWERS, Chairman

## Committee on Finance

## SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 492	Senate Bill No. 1643
Senate Bill No. 757	Senate Bill No. 1679
Senate Bill No. 824	Assembly Bill No. 83
Senate Bill No. 1228	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 558

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

HULSE, Chairman

Above reported bill ordered to second reading.

## Committee on Public Health and Safety

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1702

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

KRAFT, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 54

Assembly Bill No. 697

Assembly Bill No. 944

Assembly Bill No. 968

Assembly Bill No. 1346

Assembly Bill No. 3030

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Senate Committee on Rules has appointed the following Senators to serve as members of the Committee on Highways, Streets and Bridges under the terms of Senate Resolution No. 32:

Collier, Breed, Gibson, Erhart, Kraft, Dilworth, and Brown.

POWERS, Chairman

## APPOINTMENT OF COMMITTEE ON CONFERENCE

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Kraft, Ed. C. Johnson, and Thompson as a Senate Committee on Conference concerning Assembly Bill No. 1993 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES

POWERS, Chairman

## MOTION TO PRINT REPORT

Senator Williams moved that 1,000 additional copies of the Third Partial Report submitted by the Joint Committee on Water Problems, be printed for distribution. (This makes a total of 3,000 copies.)

Motion carried.

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 54:** By Senator Kraft—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the tenth day of March, 1953.

## Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 54, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 54

**Senate Concurrent Resolution No. 54**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the tenth day of March, 1953.

Resolution read.



The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Way, and Williams—29.  
**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Way (Co-authored by request—Senators Burns, O'Gara, and Collier):

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 8, 1953

**MR. PRESIDENT:** In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Department of Public Works, relating to repair and restoration of county roads and bridges, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR A. W. WAY

#### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Thompson, Way, Weybrecht, and Williams—30.  
**NOES**—None.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was introduced, and read the first time:

**Senate Bill No. 1950:** By Senator Way (Co-authored by request—Senators Burns, O'Gara, and Collier)—An act making an appropriation to the Department of Public Works, relating to repair and restoration of county roads and bridges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

#### RESOLUTIONS

The following resolution was offered:

By Senator Kraft:

#### Senate Resolution No. 100

Relating to a survey by the Department of Public Works for a highway connecting Borego Valley and San Jacinto Valley by the most direct feasible route

**WHEREAS,** Borego Valley in San Diego County and San Jacinto Valley in Riverside County constitute two of the State's most productive areas, with many common interests and needs requiring direct and economical highway connections between them; and

**WHEREAS,** It is extremely vital to the people in San Diego County, and especially in Borego Valley, that such highway connections be constructed in order that access may be obtained to the railroads and vast consumer markets to the north of San Diego County; and

WHEREAS, Interested parties have made preliminary studies of the possibility of such highway connections and have suggested two possible routes which appear to be feasible and practical; and

WHEREAS, One of such routes would be from Borego to Hemet and San Jacinto, via Coyote Creek, Coyote Canyon, Terwilliger Valley and Bautista Canyon, a distance of 60 miles, and would involve the improvement or construction of 52 miles of road and the use of eight miles of presently paved roads; and

WHEREAS, The other possible route would be from Borego to Hemet via Coyote Creek, Horse Canyon, and State Highway Route 64, a distance of 67 miles, and would involve the improvement or construction of 30.3 miles of road and the use of 36.7 miles of presently paved road; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Department of Public Works is hereby requested to make a survey of a highway connecting Borego Valley and San Jacinto Valley by any direct, feasible route such as the two suggested above and to report its findings to the Legislature upon the convening of the 1954 Budget Session; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit copies of this resolution to the Director of Public Works and the State Highway Engineer.

Resolution read, and referred to Committee on Rules.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.55 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Assembly Bills Nos. 1075 and 519 carry an appropriation.

The President ordered Assembly Bills Nos. 1075 and 519 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 577**—An act to amend Section 155 of the Vehicle Code, relating to display of registration cards.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

##### Amendment No. 1

On page 1 of the printed bill, strike out all of lines 7 to 16, inclusive, and insert "copy thereof in a suitable container and shall securely fasten said container and card in the driver's compartment of the vehicle for which issued in a position so that at least that portion of said registration card, or facsimile copy thereof, containing the name and address of the registered owner and the license number of the vehicle shall be plainly visible and legible from the outside of the vehicle or, if the vehicle has no driver's compartment, shall so fasten the same in plain sight upon, or carry the same in some receptacle attached to the vehicle."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 578**—An act to amend Section 164 of the Vehicle Code, relating to renewal of registration of motor vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1, line 16, of the printed bill, strike out "metal".

**Amendment No. 2**

On page 1, line 17, of said bill, strike out "metal".

**Amendment No. 3**

On page 1, line 27, of said bill, strike out "metal".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1945**—An act to add Section 414.5 to the Vehicle Code, relating to insurance requirements for passenger carrying vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Transportation:

**Amendment No. 1**

On page 1 of the printed bill, after line 29, insert "This section does not apply to a passenger stage corporation, as defined in the Public Utilities Code."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 799**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1348**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempt from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Transportation:

**Amendment No. 1**

On page 2, line 6, of the printed bill, after the second "farm", insert ", or between a farm and a gin,".

**Amendment No. 2**

On page 2, lines 10 and 11, of said bill, strike out ", but not limited to,".

**Amendment No. 3**

On page 2, lines 11 and 12, of said bill, strike out "both from a cotton farm to a cotton ginning plant and from the plant to the cotton farm", and insert "between a cotton farm and a cotton gin".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**Senate Bill No. 1766**—An act to amend Sections 8571 and 8752 of the Revenue and Taxation Code, relating to use fuel tax returns and payments.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "last", and insert "twenty-fifth".

#### Amendment No. 2

On page 1, line 7, of said bill, strike out "last", and insert "twenty-fifth".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**Senate Bill No. 1767**—An act to amend Sections 7305, 7306, and 8101 of the Revenue and Taxation Code, relating to distribution and importation of motor vehicle fuel for license tax purposes, and providing that this act shall take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "7306", insert ", 7705".

#### Amendment No. 2

In line 2 of the title of said bill, after "to", insert "motor vehicle fuel license tax liability upon the".

#### Amendment No. 3

In line 3 of the title of said bill, strike out "for license tax purposes".

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PRINTER'S NOTE—There being no 7-point-strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 4

On page 2 of said bill, between lines 25 and 26, insert

"SEC. 3. Section 7705 of said code is amended to read:

7705. If any distributor fails to pay any weekly installment of tax [is not paid] shown to be due by his return on the Tuesday when required to be paid, a penalty of 5 percent shall be added thereto. In addition, if any weekly installment of tax remains unpaid on the first day of the second calendar month following the month during which the last of the distributions occurred on which the weekly installment was levied, a penalty of 10 percent of the installment, exclusive of penalties, shall be added thereto.

The weekly installment shall be deemed not paid or unpaid on any particular day:

- (a) If not paid prior to 5 p.m. of that day, when paid in person.
- (b) If the envelope in which the remittance is inclosed bears a post-office cancellation mark dated later than [12 p.m. of] that day, when paid by mail."

#### Amendment No. 5

On page 2, line 26, of said bill, strike out "3", and insert "4".

#### Amendment No. 6

On page 2, line 48, of said bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.



**Senate Bill No. 347**—An act to add Sections 2154, 2203.5, 2304.5, and 2420.1 to, and to amend Sections 3571, 3873, 3878, and 3880 of, the Elections Code, relating to delegates to the national conventions of political parties.

Bill read second time, ordered engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2372**—An act to amend Sections 176 and 180.7 of the Vehicle Code, relating to vehicle registration and transfer thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 400**—An act to amend Section 373 of the Elections Code, relating to indexes of registration, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1069**—An act to amend Section 503 of the Elections Code, relating to election precincts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1083**—An act to amend Section 5503 of the Elections Code, relating to election procedure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1084**—An act to amend Section 5550 of the Elections Code, relating to the conduct of elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1085**—An act to amend Section 5553 of the Elections Code, relating to election procedure at the polls.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1087**—An act to repeal and add Section 5700 of the Elections Code, relating to procedure at the polls.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1088**—An act to amend Section 5703 of the Elections Code, relating to casting of ballots.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1039**—An act to amend Section 5709 of the Elections Code, relating to the casting of ballots.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1095**—An act to amend Sections 7011 and 7020 of the Elections Code, relating to stringing ballots.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1068**—An act to amend Section 501 of the Elections Code, relating to election precincts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

On page 1, line 4, of the printed bill as amended in Assembly March 12, 1953, strike out the semicolon, and insert a comma.

**Amendment No. 2**

On page 1, line 5, of said bill, as amended, strike out "may", and insert "shall".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1079**—An act to amend Section 3944 of the Elections Code, relating to ballot forms.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Elections:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 3944", and insert "Sections 3944 and 3822".

**Amendment No. 2**

On page 1, line 8, of said bill, strike out "is to", and insert "shall".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1 of said bill, after line 28, insert

"SEC. 2. Section 3822 of said code is amended to read:

3822. On each ballot a perforated line shall extend across the top of the ballot not less than one inch from the top thereof. The same number as appears on the stub shall be printed above said perforated line within two inches of the perforated line on the left-hand side of the ballot, and above this number shall be printed in parentheses, in small type, as follows: (This number [is to] *shall* be torn off by inspector). One-half inch to the right of this ballot number there shall be a short perforated line extended from the perforated line along the top of the ballot to the top edge of the ballot."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1092**—An act to amend Section 5809 of the Elections Code, relating to election ballots.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Elections:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "hold", and insert "fold".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1343**—An act to amend Sections 1364 and 1366 of the Financial Code, relating to legal investments for savings banks.

Bill read second time, and ordered to third reading.

## UNFINISHED BUSINESS

## Consideration of Assembly Amendments

**Senate Joint Resolution No. 26**—Relative to submerged lands.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Joint Resolution No. 26?

**Amendment No. 1**

On page 1, line 25, of the printed measure, strike out "upset the established law", and insert "over-rule earlier decisions".

**Amendment No. 2**

On page 1, line 26, of said bill, strike out "both".

**Amendment No. 3**

On page 2, line 1, of said bill, strike out "fisheries and farms", and insert "and fisheries".

The roll was called, and the Senate concurred in Assembly amendments to Senate Joint Resolution No. 26 by the following vote:

**AYES**—Senators Berry, Breed, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Above resolution ordered enrolled.

**Senate Bill No. 49**—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards declaring the urgency thereof, to take effect immediately.

## Consideration of Governor's Veto

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 49 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate sustained the objections of the Governor by the following vote:

**AYES**—None.

**NOES**—Senators Berry, Breed, Coombs, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 1438**—An act to amend Sections 29001, 29013, 29014, 29015.1 and 29022 of the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1430**—An act to add Sections 26220, 26221, and 26222 to the Government Code, relating to the assignment of delinquent county claims and accounts to licensed collection agencies for the purpose of collection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Collier, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 326**—An act to amend Sections 8 and 9 of the Riverside Flood Control and Water Conservation District Act (Chapter 1122 of the Statutes of 1945), relating to the powers and zones of the Riverside County Flood Control and Water Conservation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

#### Motion to Amend Title

Senator Dilworth moved the adoption of the following amendment to the title of Senate Bill No. 326:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 2, 1953, after "Riverside", insert "County".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 691**—An act to amend Sections 902 and 903 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1444**—An act to add Section 670.5 to the Streets and Highways Code, relating to display of the American Flag.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1207**—An act to amend Sections 10270.5 and 10270.6 of the Insurance Code, relating to group insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 652**—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from attachment or execution proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan MacFarlane Richards, Jr., at the Desk

**Senate Bill No. 644**—An act to amend Sections 17003, 17200, 17207, 17209, 17401, 17406, 17414, and 17613 of, and to add Sections 17210.1, 17210.2, 17403.1, 17413.1, 17417, and 17418 to, the Financial Code, and to add Article 14, comprising Section 1577, to Chapter 6 of Title 10 of Part 3 of the Code of Civil Procedure, relating to escrow agents under the Escrow Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—26.

**NOES**—Senators Desmond, Dilworth, Donnelly, Dorsey, Erhart, and Tenney—6.

#### Motion to Amend Title

Senator Grunsky moved the adoption of the following amendments to the title of Senate Bill No. 644:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 7, 1953, strike out "17401,".

##### Amendment No. 2

In line 3 of the title of said bill, as amended, after "to," insert "and to repeal Section 17401 of,".

Amendments read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1288**—An act to repeal Chapter 718 of the Statutes of 1911, relating to overflow districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator McBride Presiding**

At 3 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**CONSIDERATION OF SPECIAL ORDER**

The hour of 3 p.m. having arrived, Senate Bill No. 1061 was taken up.

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System.

Bill read third time.

**Motion to Amend**

Senator Berry moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 14, of the printed bill, as amended in Senate March 30, 1953, after the period, insert "C. S. 50 (easterly portion). From Perkins to Lake Tahoe including that portion of State Route 11 from Perkins via Placerville to Lake Tahoe."

Amendment read.

**Roll Call Demanded**

Senators Desmond, Donnelly, and Sutton demanded a roll call.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Desmond moved that the quorum call of the Senate be applied to the adoption of the amendment offered by Senator Berry.

Motion carried. Time, 3.35 p.m.

**President pro Tempore of the Senate Presiding**

At 3.37 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF SENATE BILLS (RESUMED)**

**Senate Bill No. 1289**—An act to repeal Chapter 724 of the Statutes of 1909, relating to municipal water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1290**—An act to repeal Chapter 166 of the Statutes of 1891, relating to the Sutter County No. 6 Levee District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1291**—An act to repeal Chapter 299 of the Statutes of 1875-6, relating to the Sutter County No. 2 Levee District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1292**—An act to repeal Chapter 551 of the Statutes of 1877-8, relating to the Sacramento County No. 1 Levee District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, and Weybret—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1293**—An act to repeal Chapter 470 of the Statutes of 1877-8, relating to the Bear River No. 1 District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1296**—An act to repeal Chapter 680 of the Statutes of 1909, relating to the Yolo Basin Drainage District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, Murdy, O'Gara, Parkman, Regan, Thompson, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1297**—An act to repeal Chapter 381 of the Statutes of 1867-8, relating to the Washington Drainage District of Yolo County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1298**—An act to repeal Chapter 643 of the Statutes of 1877-8, relating to the Sacramento River Drainage District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1299**—An act to repeal Chapter 102 of the Statutes of 1923, relating to drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1300**—An act to repeal Chapter 228 of the Statutes of 1897, relating to drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1301**—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1303**—An act to repeal Chapter 745 of the Statutes of 1915, relating to county power pumping districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1304**—An act to repeal Chapter 332 of the Statutes of 1919, relating to conservancy districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Hoffman, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to public shooting grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1941**—An act to amend Section 28129 of the Government Code, relating to compensation for public service in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4:20 p.m., on motion of Senator Desmond, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the amendment offered by Senator Berry to Senate Bill No. 1061 refused adoption by the following vote:

**AYES**—Senators Berry, Busch, Byrne, Coombs, Cunningham, Desmond, Dorsey, Grunsky, Ed. C. Johnson, Kraft, McCarthy, Murdy, O'Gara, Sutton, Tenney, and Thompson—16.

**NOES**—Senators Abshire, Breed, Brown, Burns, Collier, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Harold T. Johnson, McBride, Miller, Montgomery, Parkman, Powers, Regan, Ward, Way, Weybret, and Williams—23.

#### Call of the Senate

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 4:21 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE FURTHER CONSIDERATION OF SPECIAL ORDER Further Consideration of Amendments to Senate Bill No. 1061

#### Motion to Amend

Senators Coombs and Busch moved the adoption of the following amendment:

#### Amendment No. 1

On page 6 of the printed bill, as amended in Senate March 30, 1953, between lines 4 and 5, insert

"251.6. In addition to the highways described in Sections 250 and 251 of this code, the following highway is included in the Mainline Highway System:

From Sears Point to State Highway Route 15 near Sweet Hollow Summit, via Shellville, Napa, Calistoga, and Middletown, including portions of State Highway Routes 8 and 49."

Amendment read.

**Motion to Lay on the Table**

Senator Burns moved that the amendment offered by Senators Coombs and Busch be laid on the table.

**Roll Call Demanded**

Senators Sutton, Busch and Coombs demanded a roll call.

The roll was called, and the motion to lay on the table the amendment offered by Senators Coombs and Busch carried by the following vote:

AYES—Senators Abshire, Breed, Burns, Byrne, Collier, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Way, Weybret, and Williams—28.

NOES—Senators Berry, Busch, Coombs, Desmond, Dorsey, Sutton, and Tenney—7.

**Further Amendments to Senate Bill No. 1061**

**Motion to Amend**

Senator Berry moved the adoption of the following amendments:

**Amendment No. 1**

On page 4, line 15, of the printed bill, as amended in the Senate, March 30, 1953, after "Routes 4, 11, 50, 6, 7 and 3", insert "U. S. 99 east from Roseville via Chico to Red Bluff including that portion of State Route No. 3 from Roseville to Red Bluff."

**Amendment No. 2**

On page 4, line 45, of said bill, as amended, after "State Route 32", insert "U. S. Highway Nos. 466 and 66 from Mojave via Barstow to Needles, including that portion of State Route 58 from Mojave to Needles."

**Amendment No. 3**

On page 5, line 19, of said bill, as amended, after "Routes 7, 87, 3, 15 and 21", insert "U. S. Highway No. 88 from Highway 50 near Stockton via Ione and Jackson to Route 4 at Woodfords in Alpine County, including portions of State Routes 97 and 34."

Amendments read.

**Motion to Lay on the Table**

Senator Regan moved that the amendments offered by Senator Berry to Senate Bill No. 1061 be laid on the table.

Motion carried.

**Further Amendment to Senate Bill No. 1061**

**Motion to Amend**

Senators Busch, Coombs, and Sutton moved the adoption of the following amendment:

**Amendment No. 1**

On page 6 of the printed bill, as amended in Senate March 30, 1953, between lines 4 and 5, insert

"251.5. In addition to the highways described in Sections 250 and 251 of this code, the following highway is included in the Mainline Highway System:

Connecting Highway. From U. S. 99W near Williams to U. S. 101 near Ukiah, including portions of State Highway Route 15."

Amendment read.

**Motion to Lay on the Table**

Senator McCarthy moved that the amendment offered by Senators Busch, Coombs, and Sutton be laid on the table.

**Roll Call Demanded**

Senators Dorsey, Berry, and Busch demanded a roll call.

The roll was called, and the motion to lay on the table the amendment offered by Senators Busch, Coombs, and Sutton carried by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Collier, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Thompson, Ward, Way, Weybret, and Williams—27.

**NOES**—Senators Berry, Busch, Coombs, Dorsey, Sutton, and Tenney—6.

**Further Amendment to Senate Bill No. 1061****Motion to Amend**

Senator Dorsey moved the adoption of the following amendment:

**Amendment No. 1**

On page 4 of the printed bill, as amended in Senate March 30, 1953, between lines 4 and 5, insert

"38. From U. S. 99 near Bakersfield to U. S. 6 near Freeman via Walker Pass, including a portion of State Highway Route 57."

Amendment read.

**Motion to Lay on the Table**

Senator Brown moved that the amendment offered by Senator Dorsey to Senate Bill No. 1061 be laid on the table.

Motion carried.

**Further Consideration of Senate Bill No. 1061**

**Senate Bill No. 1061**—An act to add Article 2 to Chapter 2 of Division 1 of the Streets and Highways Code, to define the Mainline Highway System.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.

**NOES**—Senators Berry, Cunningham, Dilworth, Miller, and Tenney—5.

Bill ordered transmitted to the Assembly.

**Senator Grunsky Presiding**

At 5.10 p.m., Senator Donald L. Grunsky of the Twenty-third District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2507**—An act to amend the heading of Chapter 7 of Division 3 of, and to amend Sections 435 and 436 of, the Agricultural Code, relating to unlawful marking, branding and transporting of live-stock or carcasses thereof.

Bill read third time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 19 and 20, of the printed bill, as amended in Assembly March 20, 1953, strike out "a portion of a carcass".



**Amendment No. 2**

On page 1 of said bill, as amended, after line 20, insert "(d) Transports or has in his possession any portion of the carcass of any horse, colt, jack, jenny, ox, steer, cow, or calf, when such animal has been killed without the consent of the owner thereof."

**Amendment No. 3**

On page 2, line 11, of said bill, as amended, strike out "or portion of a carcass".

**Amendment No. 4**

On page 2 of said bill, as amended, after line 11, insert "(d) Transports or has in his possession any portion of any sheep, goat, hog, shoat or pig, when such animal has been killed without the consent of the owner thereof."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 5.12 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**Motion to Take Bill From the Inactive File**

Senator Kraft moved that Senate Bill No. 1433 and Assembly Bill No. 970 be taken from the inactive file and placed on the second reading file.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

**Senate Joint Resolution No. 31:** By Senator O'Gara—Relative to the Bay Area Committee for the Revision of the 1952 Immigration and Nationality Act.

Referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 15**

Senator McBride moved that Senate Bill No. 15 be withdrawn from Committee on Education for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 15**—An act to amend the chapter heading of Chapter 7 of Division 3 of, to amend Section 5801 of, to amend and renumber Section 5841 of, to repeal Sections 5803, 5804, 5805, and 5806, Articles 2 and 3 of Chapter 7 of Division 3, and Article 10 of Chapter 7 of Division 4 of, and to add Sections 5803 to 5805, inclusive, and Chapter 12 to Division 4 of, the Education Code, relating to vocational rehabilitation.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

Strike out line 10 of the title of the printed bill, as amended in Senate March 25, 1953, and insert "and 9123 to, the Education".

**Amendment No. 2**

In line 11 of the title of said bill, as amended, before the period, insert "and teaching the blind".

**Amendment No. 3**

On page 2 of said bill, as amended, after line 46, insert

"SEC. 5.5. Section 9123 is added to said code, to read:

9123. The Department of Education may appoint field officers or home teachers to teach handicrafts to the adult blind of the State, and to give them such other instruction as may ameliorate their condition. The department may prescribe the duties and with the approval of the Department of Finance may fix the compensation of such field officers and home teachers."

**Amendment No. 4**

On page 5 of said bill, as amended, strike out lines 20 to 22, inclusive, and insert "rehabilitation through the director."

**Amendment No. 5**

On page 5, line 24, of said bill, as amended, strike out " , through the bureau,".

**Amendment No. 6**

On page 5, line 28, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 7**

On page 5, line 35, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 8**

On page 5, line 38, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 9**

On page 5, line 41, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 10**

On page 5, line 48, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 11**

On page 6, line 4, of said bill, as amended, strike out "bureau", and insert "department".

**Amendment No. 12**

On page 6, lines 11 and 12, of said bill, as amended, strike out " , through the bureau,".

**Amendment No. 13**

On page 7 of said bill, as amended, after line 28, insert

"SEC. 8. This act shall become effective October 1, 1953."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 741**

Senator Burns moved that Senate Bill No. 741 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 741**—An act to add Chapter 7 of Division 20, comprising Section 25200, to the Health and Safety Code, relating to unfenced or uncovered swimming pools.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 12, inclusive, and insert

"25200. Every person in possession of land upon which is situated a swimming pool who fails to either securely cover the pool when it is not in use or adequately fence

the area adjacent to the pool so that the pool is made inaccessible to the public is guilty of a misdemeanor."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1189

Senator Hoffman moved that Senate Bill No. 1189 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1189**—An act making an appropriation for the support of the Vocational Education Fund.

Bill read second time.

#### Motion to Amend

Senator Hoffman moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation for the support of the Vocational Education Fund", and insert "to add Section 18596 to the Government Code, relating to vocational education personnel in the Department of Education, declaring the urgency thereof, to take effect immediately".

#### Amendment No. 2

On page 1 of the printed bill, strike out lines 1 through 6, and insert

"SECTION 1. Section 18596 is added to the Government Code, to read:

18596. The "state civil service" shall include all vocational education personnel appointed or employed in the Division of Instruction of the Department of Education.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

In order to place in immediate effect the organization plan for the Division of Instruction, Department of Education, recommended by the Director of Finance (Administrative Survey Report A.N. 440), on July 1, 1953, the present Bureau of Guidance will be transferred from the vocational section to a supplemental services section and expanded as a counseling and guidance bureau.

The professional staff of the Bureau of Guidance is now exempt from civil service because their salary is partly paid with federal funds. Upon transfer of that bureau to the supplemental services section, the professional staff will be paid solely from state funds and the positions no longer will be exempt from civil service.

The transfer requires the continuing conduct of the functions now performed by the professional staff of the bureau. In order to conduct such functions in a proper manner and without interruption and in order to retain for the benefit of the state the services of the present trained and experienced professional staff, it is necessary that the professional staff of the Bureau of Guidance become a part of the state civil service on or before June 30, 1953."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1261

Senator Cunningham moved that Senate Bill No. 1261 be withdrawn from Committee on Social Welfare for purpose of amendment and re-referred to committee.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1261**—An act to amend Sections 5075 and 5076 of the Welfare and Institutions Code, to repeal Section 5078 thereof, and to amend the heading of Article 4, Chapter 1, Part 1, Division 6 of said code, and to add Chapter 4 to Division 3 of said code, relating to aged and infirm persons who need care or custody.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, line 5 of the title, after "to", insert "mentally disordered and".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. The heading of Article 4, Chapter 1, Part 1, Division 6, of the Welfare and Institutions Code, is amended to read:

Article 4. [Commitment] *Care of Mentally Disordered Persons*

SEC. 2. Section 5075 of said Code is amended to read:"

**Amendment No. 3**

On page 1, lines 4 and 5, of said bill, strike out "aged and infirm with a primary diagnosis of senility, or who are".

**Amendment No. 4**

On page 1, line 6, of said bill, after "not", insert "dangerously".

**Amendment No. 5**

On page 1, line 8, of said bill, after "custody", insert ", and be restored to normal condition as rapidly as possible."

**Amendment No. 6**

On page 1, line 10, of said bill, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 7**

On page 1, line 11, of said bill, strike out "on the", and insert "after a petition of mental illness has been filed under this chapter and after".

**Amendment No. 8**

On page 1, line 13, of said bill, after "not", insert "dangerously".

**Amendment No. 9**

On page 1, line 15, of said bill, strike out "the welfare officer", and insert "other officer or employee".

**Amendment No. 10**

On page 1, line 16, of said bill, after "county", insert "designated by the court".

**Amendment No. 11**

On page 1, line 17, of said bill, strike out "welfare officer", and insert "other county officer or employee".

**Amendment No. 12**

On page 1, line 22, of said bill, strike out "the welfare officer", and insert "other officer or employee".

**Amendment No. 13**

On page 2, line 1, of said bill, after "be", insert "as described in this section and".

**Amendment No. 14**

On page 2, lines 1 and 2, of said bill, strike out "with a primary diagnosis of senility", and insert "and suffering from an organic disorder due to senility or circulatory disturbances,".



**Amendment No. 15**

On page 2, line 6, of said bill, strike out "SEC. 3", and insert "SEC. 4".

**Amendment No. 16**

On page 2 of said bill, strike out lines 7 to 11, inclusive.

**Amendment No. 17**

On page 2 of said bill, strike out lines 19, 20 and 21, and insert "means those persons of advanced age who are suffering from an organic disorder due to senility or circulatory disturbances and who are bordering on mental illness but not dangerously mentally ill, and who are in need of care".

**Amendment No. 18**

On page 3, lines 1 and 2, of said bill, strike out "or certificate".

**Amendment No. 19**

On page 3, line 7, of said bill, strike out "the welfare officer", and insert "his responsible relatives for suitable care or to the appropriate officer or employee."

**Amendment No. 20**

On page 3, line 10, of said bill, strike out "the welfare officer", and insert "an officer or employee".

**Amendment No. 21**

On page 3, line 11, of said bill, after "county", insert "designated by the court".

**Amendment No. 22**

On page 3 of said bill, strike out lines 26 and 27, and insert "judge, and in such event the provisions of Articles 3 and 4 of Chapter 2, Division 4 of this code shall be applicable with respect to the responsibility of relatives of the person and reimbursement to the county for such expenses."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1542**

Senator Sutton moved that Senate Bill No. 1542 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1542**—An act to add Section 1253.5 to the Water Code, relating to appropriation of water.

Bill read second time.

**Motion to Amend**

Senator Sutton moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 18, of the printed bill as amended in Senate, March 24, 1953, after "area", insert "shall be made unless the water requirements of the watershed or area".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Joint Resolution No. 22**—Relative to flood control works on Butte and Little Chico Creeks;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighth day of April, 1953, at 2.30 p.m.

POWERS, Chairman

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 29**—An act to amend Section 274 of the Agricultural Code, relating to the importation of bees, used hives or appliances, declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 262**—An act to amend Section 2 of the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game;

**Senate Bill No. 287**—An act to amend Section 3 of Chapter 12 of the Statutes of 1951, relating to transfer of jurisdiction of the Department of Motor Vehicles Building;

**Senate Bill No. 707**—An act to amend Sections 4651.4, 4655.2, 4656.4, 4656.6, and 4657, and to repeal Section 4657.4, of the Revenue and Taxation Code, relating to distribution of local property taxes and penalties;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1953, at 2.30 p.m.

POWERS, Chairman

## Committee on Education

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

Assembly Bill No. 86

Assembly Bill No. 457

Assembly Bill No. 1669

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 92

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 144

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Bill No. 1961

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported bill ordered to second reading.

## Committee on Education

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1922

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; noes 2; not voting 1.

DONNELLY, Chairman

Above reported bill re-referred to Committee on Finance.

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 98

Senate Resolution No. 99

Senate Joint Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported resolutions ordered to third reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 623

Assembly Bill No. 2036

Senate Bill No. 1093

Assembly Bill No. 2041

Assembly Bill No. 1612

Assembly Bill No. 2042

Assembly Bill No. 1967

Assembly Bill No. 2043

Assembly Bill No. 1995

Assembly Bill No. 2044

Assembly Bill No. 2001

Assembly Bill No. 2045

Assembly Bill No. 2017

Assembly Bill No. 2046

Assembly Bill No. 2018

Assembly Bill No. 2047

Assembly Bill No. 2019

Assembly Bill No. 1275

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 812

Assembly Bill No. 2344

Assembly Bill No. 1563

Assembly Bill No. 2039

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Constitutional Amendment No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 8; absent 1.

HAROLD T. JOHNSON, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 118

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1420

Senate Bill No. 1106

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

**Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 153

Senate Bill No. 155

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

BUSCH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 306

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

BUSCH, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 5.17 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Thursday, April 9, 1953.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

FIFTY-EIGHTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Thursday, April 9, 1953

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Buseh, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Murdy, on motion of Senator Powers, due to legislative business.

Senator Gibson, on motion of Senator Powers, due to legislative business.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joe Venable, Secretary-Manager of Ventura Chamber of Commerce, Ventura.

On request of Senators Powers and Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Roy Anderson and Mrs. Loya Wilbur of Yuba City; James H. Peterson and Albert Irwin of Chester, Plumas County.

On request of Senator Breed and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. William Bowman of Berkeley.

On request of Senators Montgomery and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Mrs. Helen Cory, Mrs. Elizabeth Shipley and the following eighth grade students of Lafayette: Bonnie Jean Adair, Harold Edwin Beeston, Helene L. Borresen, Valerie Anne Burch, Leo J. Butler, Jr., Raymond Louis Capra, David Christensen, Jane Marie Colin, Cliff Ditzen, Cheryl Ann Etzler, Joan Evans, Janice Dorothea Everson, Sallie Jean Gavey, Marcellus Albert Garland, Jr., Dale Gudnason, Lynne Henrietta, Robert Keith Hitchcock, Wayne Edmund Hollister, Melanie Ann Jenders, Linda Rae Johnson, Virginia Laureen Johnson, Valerie Diane Johnson, Joan Kesselring, Donald Vincent Lockey, James D. Low, Diane Fay Marchus, Jack F. Meinbress, Robert L. Miles, Bill F. Mosher, Priscilla Jean Myers, Ronald A. Nelson, Stephen Renner, Dolores Anne Roeschen, Sally Rose, Bradley Bell Sage, Beverly Ann Schmitt, Jerry Silva, William Tacchella, Judy Tuttle, Anne Westphal, Allen Henry Antons, Judith Ann Bahls, Gary Bedsworth, Lee Edward Brown, Sheila Byrns, John Cadwell, Paul Albert Cary, Sara Helen Clark, James A. Dale, Diana Doreen Davidson, Michael W. Desch, William Jerold Deubner, Nancy Jeanne Herrmann, Robert James Hunt, John Janes, Robert W. Jensen, Patricia Kennett, Linda Sue Leffel, Carl Tilley Lincoln, Patricia Lee McRella, Michael D. Mallery, Richard Markstein, Robert Colville Mathewson III, Nancy Louise Maxey, Richard Burton Neuman, Paul Ogden, Mary Elene Palmrose, Erwin L. Picone, Charles Taylor Pridgeon, Jr., Edward J. Rice, Donna May Ruediger, Diane D. Saxton, George Schornick, Karen Lee Silva, John Teresi, Judy Teuscher, Peter K. Ulyatt, Sheila J. M. Wallace, Patricia N. Whitehead, Richard Wing, and Wayne Wallace Zimmerman.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Curtis C. Miller, Willow School; Somerset and Vernon Balderston, Darryl Balderston, Lee Balderston, students of Willow School, and Oscar M. Evans of San Francisco.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edward B. Powell of San Francisco.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. L. Hammerberg, Assistant District Attorney of Madera County; Mr. E. V. Eastman, Mr. Neal Russell, Mrs. Irene Pistoressi, and Mr. Ed. Clendennon, all of Chowchilla.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. L. Herzog of Arcadia; Mrs. V. J. Shankland of Sacramento; Teacher Carlo A. Dallosa, Thomas Eversult and the following Seventh Grade students from Elder Creek School District: Robert Baugh, George Buckman, Malcolm Bridges, Victor Bridges, Isidero Calisterio, Warren Fujii, Barney Hewell, Paul Knight, Eppie LaFabre, Eugene Patrick, Charles Pearson,

Larry Ring, James Snider, Clarence Tanner, Robert Todd, Robert Towbridge, William Virgin, Jerry Wardlow, Violet Alton, Betty Bailey, Jeanette Burrs, Yvonne Celiz, Nellie Cuccia, Juanita Delgado, Mary Lou Gasoway, Barbara Hancock, Patricia Kernitzky, Bernice Powers, Loretta Tedford, Margaret Von Beheren, Helen Watts, and Jeannette Wise.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank Lorenzi and Joseph L. Greene of Los Angeles.

On request of Senators Byrne and Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. R. Sheldon, Mrs. Paul Corda, Mrs. Cleo Clemens and the following students of Live Oak School: Don Martin, Gertrude Vollstedt, Betty Markel, George Berg, Sammy Stout, Alyce Mastel, Mary Skinner, Mary Lou Bard, Albert Hunger, Gay Travis, Terry Lindeman, Lois Zimbelman, Bertha Carlton, Glen Smith, Darlene Lovelock, Dianne Dyer, Pat Pateet, Betty Permain, Terry Kato, Ronald Forbes, Sigrid Wister, Shirley Wymer, Lewis Flewellen, Paula Corda, Elizabeth Faber, Roger Lornson, Athol Fields, and Louis Robinson.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mr. George Hibdon, parents Mr. O. J. Forberg, Mrs. Padgett, Mrs. Shirley and the following students of Shasta Union Eighth Grade: Carolyn Augustine, Richard Brooks, Guy Brunelle, Joyce Byerly, Katty Cameron, Sharon Durst, Jackie Eitel, Monte Finley, Paul Forberg, Donnie Freeman, Charles McClane, Jerry Grace, Eber Hanks, Burnell McMaster, Elvada Mays, Nancy Padgett, Andy Powers, Arlene Ryburg, Harold Seward, Rorie Vance, and Verna Ward.

On request of Senator O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rex E. Shoop of San Francisco.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sponsor Arthur Mitchel, Drivers Mrs. Ordeli Rees, Mrs. William Dirksen, Lloyd Wilkins, and the following students from Mt. View Academy: Bill Anderson, Ursula Archuleta, Myrna Aschleemann, Charles Hanson, Susan Harris, George Harty, Laura Kreamer, Lorraine Lewis, Marvin McDonald, Virginia McElmurry, Robert Rees, Lenore Rice, Geri Scheller, Ronald Torrano, Peter Yoshida, Lyle Davis, Melvin Jackson, Delbert Rees, Richard Rees, Frank Korn, Warren Henderson, Susan Morton, Stanley Nakamura, Marianne O'Niel, Jackie Rieke, Ruth Shaw, Terry Stone, and Sylvia Woodkey.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Dorothy Abel and Principal Mr. Rolf E. Lee, and the following Eighth Grade students from Wakefield School, Turlock: Celia Alvarado, Frank Balla, Suzette Bartgis, Dewayne Bell, Catherine Bixler, Stephen Carkeet, Glenda Carnes, Yvonne Carter, Harold Dehn, David Dornan, Marie Duhm, Wilma Faddis, David Fliffet, Warren Frost, Edwin Garcia, Dorothea Goessmann, Robert Grubbs, Joe Hampton, Joyce Hevrin, Nelda Hilligoss, Jo Ann Hickey, Monica Hughes, Carolyn Johnson, Harold

Lang, Teddy McCollum, Becky Nissen, Doris Nunn, Sharon Patton, Rasma Reksans, Charlotte Scott, Ronald Sugars, Robert Swan, George Vincent, Donna Vrh, Lois Waltman, James Webster, Richard Wetzlich, and Willis Wood.

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Harry Hills of Oroville.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Helen M. Boyer of Menlo Park.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Margaret Ashton, vice principal; Mrs. Mary Davis and Mr. Louis Miller, teachers; and the following students of Mt. Eden Elementary School, Mt. Eden: Helen Aguilar, Conely Allison, Mickey Amador, Arlene Barrios, Jonita Barton, Diane Beck, Bernice Bettencourt, Patricia Brasiel, Joyce Brewer, Lillie Clinton, John Cooper, Victoria Courtney, Herman Davis, Le Roy Dornedde, Marlene Erickson, Anthony Filena, Gerald Fite, Betty Franzell, Margaret Fults, Barbara Fults, Jane Garcia, Dorothea Gardener, Frank Hansen, Verna Hoang, Alfred Howell, Geneva Jackson, Judith Kerby, Anthony Klarich, Gerald Knepps, Beverley Koch, Audra Lea, Paul Martinez, Gale Meek, Joyce Miller, Jerry Nelson, Pauline Oaker, James Oakman, Joseph Pacheco, Bette Picarezyk, Gail Radey, James Read, Marlene Rule, Robert Scarbough, Richard Seeley, Gary Shelton, Raymond Siegfried, Peggy Stephens, Carolyn Vigneault, John Voss, Iva Walsh, Frank Wasco, David Williams, and Eva Williams.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 1.45 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Mr. Caldecott to replace Mr. Waters on the Committee on Conference concerning:

**Assembly Bill No. 1993**—An act to amend Sections 32001 and 32002 of the Health and Safety Code, relating to hospital districts and validating certain proceedings with respect to such districts.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

**Assembly Bill No. 1996**

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk



ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 87

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 347

Senate Bill No. 790

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 577

Senate Bill No. 1945

Senate Bill No. 578

Senate Joint Resolution No. 27

And reports the same correctly engrossed.

POWERS, Chairman

### Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 207

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 5; noes 4.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 1435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Senator Tenney:

### Senate Resolution No. 101

Relating to congratulating the Peter Meremblum California Junior Symphony Orchestra

WHEREAS, The Peter Meremblum California Junior Symphony Orchestra is celebrating its fifteenth anniversary at a concert to be held on April 15, 1953; and

WHEREAS, This junior symphony orchestra has provided a vast amount of entertainment and pleasure to symphonic music lovers throughout Southern California; and

WHEREAS, Peter Meremblum, its founder and conductor, has through this orchestra offered to children having musical ability, the opportunity of being heard by others and of gaining experience in concert performance; and

WHEREAS, Over 3,000 potential orchestral players have been trained by Mr. Meremblum during the 15-year period that the California Junior Symphony Orchestra has been in existence, many of such players having gone on to successful professional careers; and

WHEREAS, This orchestra is not sponsored by any group but has been maintained by Mr. Meremblum and by contributions made to the orchestra when it has played at public events; now, therefore be it

*Resolved by the Senate of the State of California*, That the members take this opportunity to congratulate Mr. Peter Meremblum and the members of the Peter Meremblum California Junior Symphony Orchestra on the fifteenth anniversary of its founding and to commend Mr. Meremblum for his fine work in giving children the opportunity to engage in this splendid activity; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably engrossed copy of this resolution to Mr. Peter Meremblum.

Resolution read, and referred to the Committee on Rules.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1322

Senator Williams moved that Senate Bill No. 1322 be withdrawn from Joint Interim Committee on Agriculture and re-referred to the Standing Committee on Agriculture.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 55:** By Senator Dorsey—Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the twenty-fourth day of March, 1953.

#### Request for Unanimous Consent

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 55, at this time, for consideration.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 55

**Senate Concurrent Resolution No. 55**—Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on the twenty-fourth day of March, 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 306 carries an appropriation.

The President ordered Senate Bill No. 306 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 492**—An act to amend Section 3431 and to repeal Section 3432.1 of the Welfare and Institutions Code, relating to the residence requirements for aid to the partially self-supporting blind residents.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 757**—An act to add Part 7 to Division 5 of the Labor Code, comprising Sections 7800 to 7804, inclusive, relating to flammable substances.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 824**—An act to amend the title to Chapter 1 and Sections 50, 51 and 52 of, and to add Sections 53 and 54 to, the Military and Veterans Code and to amend Section 12040 of the Government Code, relating to the military department, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1228**—An act to add Section 20442.1 to the Education Code, relating to accreditation of teacher education institutions.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1643**—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1679**—An act to add Section 30.6 to the Agricultural Code, relating to the artificial insemination of bovine animals.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate April 2, 1953, strike out lines 37 to 41, inclusive.

Amendment read.

**Motion to Set Special Order**

Senator O'Gara moved that Senate Bill No. 558 and the amendments from the Committee on Finance, and the amendments offered by Senators O'Gara, Coombs, and Abshire be set as a special order of business for Monday, April 13, 1953, at 3 p.m.

**Motion to Lay on Table**

Senator McCarthy moved that the motion of Senator O'Gara to set Senate Bill No. 558 with the amendments as a special order of business be laid on the table.

**Roll Call Demanded**

Senators O'Gara, McCarthy, and Coombs demanded a roll call.

The roll was called, and the motion to lay on the table the motion of Senator O'Gara to set Senate Bill No. 558 with the amendments as a special order of business carried by the following vote:

**AYES**—Senators Berry, Brown, Collier, Desmond, Donnelly, Erhart, Harold T. Johnson, McBride, McCarthy, Miller, Montgomery, Parkman, Thompson, and Weybret—14.

**NOES**—Senators Abshire, Breed, Busch, Coombs, Cunningham, Dilworth, Kraft, Murdy, Sutton, Tenney, Way, and Williams—12.

**Further Consideration of the Amendment From the  
Committee on Finance to Senate Bill No. 558  
Amendment No. 1**

On page 2 of the printed bill, as amended in Senate April 2, 1953, strike out lines 37 to 41, inclusive.

Amendment read.

**Previous Question**

Senator McBride, moved the previous question.

Motion carried.

The question being on the adoption of the amendment from the Committee on Finance.

**Roll Call**

Senators O'Gara, McCarthy, Coombs, and Abshire demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

**AYES**—Senators Berry, Brown, Burns, Byrne, Collier, Cunningham, Donnelly, Erhart, Erhardt, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Parkman, Powers, Tenney, Weybret, and Williams—21.

**NOES**—Senators Abshire, Breed, Busch, Coombs, Desmond, Dilworth, Gorsky, Hoffman, Ed. C. Johnson, Montgomery, O'Gara, Sutton, Thompson, and Way—14.

**Special Order of Business**

Senator McCarthy moved that Senate Bill No. 558 be continued on the Second Reading File, and that it be set as a special order of business for Tuesday, April 14, 1953, at 2:30 p.m., for consideration of the pending amendments.

Motion carried.

**Motion to Reconsider**

Senator O'Gara moved to reconsider the vote whereby the amendment proposed by the Committee on Finance to Senate Bill No. 558 was adopted.

**Postponement of Reconsideration**

On motion of Senator O'Gara, the further consideration of the motion to reconsider the vote whereby the amendment proposed by the Committee on Finance to Senate Bill No. 558 was adopted, was continued until the next legislative day.

**Senate Bill No. 1702**—An act to amend Section 16900 of the Health and Safety Code, relating to gas appliance vents.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Public Health and Safety:

**Amendment No. 1**

On page 1, line 10, of the printed bill as amended in Senate March 20, 1953, strike out "refrigerators", and insert "and refrigerators approved by such agencies for unvented use,".

**Amendment No. 2**

On page 1, strike out lines 11 to 13, inclusive, and insert "shall be connected to an effective flue or".

**Amendment No. 3**

On page 2, strike out lines 1 to 3, inclusive, and insert "instructions; provided, however, that approved unvented heaters may be used in existing buildings if adequate permanent openings are provided for supplying combustion air to the appliance. Existing unapproved, unvented heaters shall be removed and approved-type heaters installed which shall have a B.T.U. rating of not less than 10 B.T.U.s for each cubic foot of room volume and which shall be provided with an approved thermostat and a 100".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

**Senate Bill No. 54**—An act to amend Sections 10112, 10607, and 10617 of the Health and Safety Code, relating to registration of vital statistics.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 144**—An act to amend Section 14495.2 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out "and who", and insert "and shall be retroactively applied for the period beginning September 16, 1940 to all members of this system whose absence for such reasons began before September 16, 1940, provided individuals in either class".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 623**—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1093**—An act to add Section 1945 to the Streets and Highways Code, and to add Section 11005.5 to the Revenue and Taxation Code, relating to the allocation of funds to inactive cities.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 812**—An act to add Section 53024 to the Government Code, relating to retirement of firemen in cities, counties, or fire protection districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 118**—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools of a county of the forty-fourth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "six thousand dollars (\$6,000).".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1420**—An act to add Section 14745.5 to the Education Code, relating to the use of disposition of certain funds in the possession of school districts discontinuing local district retirement plans.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "act", insert "to amend Section 14745 of and".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 14745 of the Education Code is amended to read:

14745. (a) A district retirement salary plan established under this article in any unified district having an average daily attendance of less than 70,000 pupils may be discontinued by the governing board of the district; but no discontinuance of any such retirement plan shall be effective for any purpose unless provision is made for retirement allowances for active and retired employees of the district as provided in subdivisions (b), (c), (d), and (e) of this section.

(b) Active and retired employees of the district who otherwise would be members of such plan, other than teachers and persons employed in a status requisite for membership in the State Teachers' Retirement System or who were so employed prior to retirement, shall be made members and beneficiaries, respectively, of the State Employees' Retirement System according to the provisions of Part 3, of Division 5, of Title 2 of the Government Code, including transfer to said system of the accumulated contributions of said employees, together with such other assets of said plan allocated to said employees as may be determined.

(c) Notwithstanding any other provisions of this division, contributions to the discontinued district retirement plan made by teachers and other persons employed by the district in a status requisite for membership in the State Teachers' Retirement System standing to their individual credit at the date of discontinuance of the district retirement plan shall be deposited forthwith in the Retirement Annuity Fund with credited interest, to be applied on the amount due from said teachers and other persons under Section 14680 of this code, but not to exceed the amount so due. Likewise an amount equal to the actuarial equivalent of the annuity portion of the retirement allowance to which the respective retired teachers and other persons employed by the district, prior to retirement, in a status requisite for membership in the State Teachers' Retirement System were entitled under said plan, based on the interest rate and mortality tables used in its determination, shall be deposited in the Retirement Annuity Fund, to be applied on the amount due from said respective retired teachers and other persons under Section 14683 of this code, but not to exceed the amount so due. Any excess of the contributions with credited interest or the actuarial equivalents, as the case may be, over

the respective amounts due under said sections, shall be paid forthwith to the respective active and retired teachers and other persons. Further amounts, if any, due under said sections after said deposits, shall be paid to the Retirement Annuity Fund by the respective active and retired teachers and other persons. The balance of the assets held in the various funds of the discontinued district retirement plan after the deposits and payments required by this section, shall be delivered to the district in which the plan is discontinued, to be used as provided in subdivision (e) of this section.

(d) The district in which the district retirement plan is discontinued shall pay monthly to teachers and other persons employed by the district, prior to retirement, in a status requisite for membership in the State Teachers' Retirement System who were retired prior to the date of such discontinuance an amount equal to the amount by which the retirement allowance to which any of said retired teachers or other persons was entitled under said plan exceeds the increase in said teacher's or other person's retirement allowance under the State Teachers' Retirement System resulting from said discontinuance. *If the amount payable to any such teacher or other person, under the sentence next preceding, is less than two dollars (\$2.00), the district may pay, in lieu of such amount, one amount which shall be actuarially equivalent to such monthly amount thereafter payable, according to the interest rate and mortality table used in the determination of the teacher's or other person's retirement allowance under the said district retirement plan. The payment of such actuarially equivalent amount shall discharge fully the district's liability to such teacher or other person under this subdivision (d).* The arrangement under which said amounts are paid by said district shall not be considered to be a local retirement system for the purposes of Chapter 14, of Division 7, of the Education Code, nor shall said amount be taken into account in the calculation of retirement allowances under the State Teachers' Retirement System.

(e) From the assets delivered to it pursuant to subdivision (c) the district shall create a reserve fund which shall be the actuarial equivalent of the amounts to be paid to retired teachers and other persons under subdivision (d), and the amounts payable under subdivision (d) shall be paid from that reserve fund. If the reserve fund as first created proves insufficient to make the payments required under subdivision (d), the district shall make such additions to the reserve fund as may be necessary to provide for the payments required under subdivision (d). The remainder of the assets delivered to the district pursuant to subdivision (c), after the creation of the reserve fund for payments under subdivision (d), shall be placed in a special reserve, [a part] of which *part shall be used first as provided in Section 14745.5, and the part remaining* shall be used annually in the interest of the employees of the district, at the discretion of the governing board of the district.

SEC. 2. Section 14745.5 is added to said code."

#### Amendment No. 3

On page 1, line 7, after "used", insert "first".

#### Amendment No. 4

On page 1, strike out lines 8 to 26, inclusive.

#### Amendment No. 5

On page 2, line 1, strike out "(c)", and insert "(b)".

#### Amendment No. 6

On page 2, lines 1 to 6, strike out "and who was credited under the discontinued plan at the time of discontinuance with five or more years of service,".

#### Amendment No. 7

On page 2, lines 11 and 12, strike out "and after the payments provided for in subdivision (b) of this section,".

#### Amendment No. 8

On page 2, line 30, before the period, insert ", if the annuity which would be so provided is at least two dollars (\$2.00) per month; otherwise said accumulated amount shall be paid in one sum to the person, in lieu of the annuity".

#### Amendment No. 9

On page 2, line 49, strike out "(d)", and insert "(c)".

#### Amendment No. 10

On page 2, line 52, strike out "(c)", and insert "(b)".

#### Amendment No. 11

On page 3, line 1, strike out "(c)", and insert "(b)".

**Amendment No. 12**

On page 3, line 4, strike out "(c)", and insert "(b)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 1106**—An act to amend Sections 35119 and 35121 of the Government Code, relating to cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 10, 1953, after the figures "35119, strike out "and", and insert a "comma"; and after the figures "35121", add "and 35122".

**Amendment No. 2**

On page 1, line 12, after "person", strike out "to whom land within the"; and strike out all of lines 13, 14, 15; and in line 16 strike out "as known to said clerk, and to any person".

**Amendment No. 3**

On page 1, line 24, after the "period", strike out "If it"; and strike out all of lines 25, 26, and 27; and on page 2, strike out all of lines 1, 2, 3, 4, and 5, and insert "No further proceedings for the annexation of any of the territory shall be taken for one year after such finding if the city legislative body finds either:

(a) That protest is made by the owners of a majority of the separate parcels of property within the territory, or

(b) That protest is made by the owners of real property within the territory the assessed value of which as shown by the last equalized assessment roll constitutes more than 60 percent of the total assessed value of the real property within the territory to be annexed, except when more than one-half, by assessed value, of the area with respect to which protests are made, whether lying in one or more contiguous sectors, is completely surrounded by lands within the territory to be annexed with respect to which no protests are filed and/or lands within the existing boundaries of the annexing city."

**Amendment No. 4**

On page 2, line 8, after "made", strike out "by owners of a majority"; and strike out all of lines 9, 10, 11, 12; and in line 13, strike out "within the territory to be annexed," and insert "as specified by either subdivision (a) or subdivision (b) of Section 35121,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**Senate Bill No. 153**—An act to amend Section 4165 of the Public Resources Code, relating to disposal of inflammatory waste material.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 25, 1953, strike out "inflammatory", and insert "inflammable".

**Amendment No. 2**

On page 2, line 19, strike out "during", and insert "for the duration of".

**Amendment No. 3**

On page 2, line 30, strike out "operation", and insert "accumulation".



**Amendment No. 4**

On page 2, line 32, strike out "operation", and insert "accumulation".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 155**—An act to amend Sections 4155 and 4156 of, and to add Section 4158 to the Public Resources Code, relating to fire fighting equipment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, lines 12 and 13, of the printed bill, as amended in the Senate March 25, 1953, strike out "See Section 4158 in regard to portable power saws.", and insert "The provisions of this section shall not apply to portable power saws."

**Amendment No. 2**

On page 2, line 5, strike out "on", and insert "or".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1433**—An act to amend Government Code Section 39731 and to add thereto new sections numbered 39731.1 and 39731.2, relating to acquiring, operating, paying the cost of acquiring and operating, and protecting the property and revenues of ferry systems owned by fifth and sixth class cities.

Bill read second time, and ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 970**—An act to add Section 21200.5 to the Corporations Code, relating to the powers of unincorporated nonprofit medical associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 83**—An act making an appropriation for family care of patients, Department of Mental Hygiene, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 697**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 944**—An act to amend Section 5416 of the Health and Safety Code, relating to sanitary conditions at construction sites.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 968**—An act to amend Sections 11555, 11556, and 11557 of the Health and Safety Code, relating to the regulation and control of narcotics.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1346**—An act to amend Section 4895 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 3030**—An act to amend Section 4615 and 4617 of the Health and Safety Code, relating to sewer districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 86**—An act to amend Section 2205 of the Education Code, relating to powers of governing boards.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 457**—An act to amend Section 356 of the Education Code, relating to duties of the county superintendent of schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1669**—An act to add Section 375 to the Education Code, relating to contracts between school districts and county superintendents of schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 92**—An act to amend Section 13675 of the Education Code, relating to the compensation of school employees on sabbatical leaves of absence.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 18, inclusive, and insert "employee may agree upon in writing, and the employee shall receive such compensation during the period of the leave as the governing board, with the approval of said county superintendent, and the employee may agree upon in writing, which compensation shall be not less than one-half of the salary the employee would have received during the period of the leave if he had continued in his regular service during such period."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Assembly Bill No. 1961**—An act to amend and renumber Article 5 of Chapter 1, Part 1, Division 2, Title 2 of the Government Code as added by Chapter 1248 of the Statutes of 1949, relating to legislative funds and administration.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1612**—An act to amend Section 31853 of the Streets and Highways Code, relating to municipal off-street parking facilities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1967**—An act to amend Section 1702 of the Elections Code, and to add Section 347011 to the Government Code, relating to petitions for dissolution or disincorporation of cities or cities and counties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1995**—An act to amend and renumber Section 14074.5 of the Health and Safety Code as added by Chapter 1587, Statutes of 1951, relating to fire protection districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2001**—An act to amend Section 54414 of the Government Code, relating to the powers and duties common to cities, counties, and other agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2017**—An act to amend Section 7904 of the Public Resources Code, relating to proceedings against delinquent purchasers of state lands.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2018**—An act to amend Section 5750 of the Public Resources Code, relating to regional shoreline park and recreation districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2019**—An act to amend Section 5568 of the Public Resources Code, relating to financing improvements of regional park districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2020**—An act to amend Section 5560 of the Public Resources Code, relating to the violation of regulations in regional park districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2036**—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2041**—An act to amend Section 8710.5 of the Water Code, relating to approval of plans of reclamation by the Reclamation Board.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2042**—An act to amend Section 8129 of the Water Code, relating to improvement of non-navigable streams.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2043**—An act to amend Section 1611 of the Water Code, relating to the issuance or refusal of licenses to divert water.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2044**—An act to amend Section 1464 of the Water Code, relating to preferred priorities of municipalities in the appropriation of water.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2045**—An act to amend Section 310 of the Water Code, relating to waste from artesian wells.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2046**—An act to amend Section 5060 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2047**—An act to amend Section 824 of the Streets and Highways Code, relating to highways.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1275**—An act amending Section 29610 of the Government Code, relating to convention expenses of county officers.

Bill read second time.

#### Motion to Amend

Senator Breed moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "county", and insert "public".

#### Amendment No. 2

On page 1, line 8, after "officer.", insert "one municipal court judge from each municipal court district chosen by the judges of such district,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Assembly Bill No. 1563**—An act to amend Section 37902 of the Government Code, relating to municipal contracts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2344**—An act to amend Sections 34080, 34327, and 34328 of the Government Code, relating to the government of cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2039**—An act to repeal Section 31007 of the Water Code, to amend and renumber Section 31006 of said code as amended and renumbered by Chapter 1114 of the Statutes of 1949 to be Section 31007 of said code, and to amend Section 31500 of said code, relating to the powers and purposes of county water districts.

Bill read second time, and ordered to third reading.

### UNFINISHED BUSINESS

#### Consideration of Assembly Amendments

**Senate Bill No. 702**—An act to add Sections 981.6, 981.8, and 981.14 to the Military and Veterans Code, relating to educational benefits for veterans, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 702?

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in Assembly April 2, 1953, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."



**Amendment No. 2**

On page 2, after line 6, of the printed bill, as amended in Senate March 24, 1953, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go immediately into effect. The facts constituting such necessity are:

That a well educated population is necessary to the maintenance of the public peace and safety. That unless this bill goes into immediate effect Korean veterans will be unable to obtain the educational benefits provided by this bill for use during the summer or early fall terms of this year. That many such veterans are unable to obtain higher education without this state aid. Such a failure to provide veterans with immediate opportunities for education will endanger the immediate preservation of public peace and safety; therefore it is necessary that this bill go into immediate effect for the immediate preservation of the public peace and safety."

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 702 by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 393**—An act to amend Sections 6140 and 6141 of the Business and Professions Code, relating to membership fees in the State Bar.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 393?

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "twenty-five dollars (\$25).", and insert "twenty dollars (\$20)."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 393 by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 682**—An act to amend Sections 3440 and 3440.1 of the Civil Code, relating to the transfer, sale or assignment of stock in trade, in bulk.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 682?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 3440 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 3440 of the Civil Code is amended to read:

3440. Every transfer of personal property and every lien on personal property made by a person having at the time the possession or control of the property, and not accompanied by an immediate delivery followed by an actual and continued change of possession of the things transferred, is conclusively presumed fraudulent and void as against the transferor's creditors while he remains in possession and the successors in interest of those creditors, and as against any person on whom the transferor's estate devolves in trust for the benefit of others than the transferor and as against purchasers or encumbrancers in good faith subsequent to the transfer.

This section shall not apply to any of the following:

- (a) Things in action.
- (b) Ships or cargoes at sea or in a foreign port.
- (c) Mortgages allowed by law, and contracts of bottomry or respondentia.
- (d) Wines or brandies in the wineries, distilleries, or wine cellars of the makers or owners of the wines or brandies, or other persons having possession, care, and control of the wines or brandies, and the pipes, casks, and tanks in which the wines or brandies are contained, if the transfers are made in writing and [certified] executed and [verified] and recorded in the same form as provided for chattel mortgages, and if the transfers are recorded in the book of official records in the office of the county recorder of the county in which the wines, brandies, pipes, casks, and tanks are situated.
- (e) The transfer, or assignment, statutory or otherwise, made for the benefit of creditors generally or by any assignee acting under an assignment for the benefit of creditors generally, or to any mortgage or chattel mortgage made for the benefit of creditors generally.
- (f) Property exempt from execution.

SEC. 2. Section 3440.1 of said code is amended to".

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 682 by the following vote:

AYES—None.

NOES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Delamorte, Donnelly, Ebert, Grunsky, Hatfield, Helser, Ed. C. Johnson, Harold T. Johnson, McBrat, Montgomery, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Busch, Grunsky, and O'Gara as a Senate Committee on Conference concerning Senate Bill No. 682 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES  
POWERS, Chairman

#### UNFINISHED BUSINESS (RESUMED)

##### Consideration of Assembly Amendments

**Senate Bill No. 789**—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 789?

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Senate March 3, 1953, strike out lines 15 to 19 inclusive, and insert

"5. By the court upon motion of the defendant, when it appears from the complaint or from affidavits filed with the court, that the cause of action, or some part thereof, did not arise within this State, and that the forum is not convenient to the parties and witnesses and that the dismissal of the action will serve the interests of justice. In granting a motion to dismiss as provided in this subdivision, the court may attach such conditions thereto as in its discretion appear to be just and reasonable."

#### Amendment No. 2

On page 2, line 16, strike out "or some part thereof."

**Amendment No. 3**

On page 2, lines 14 to 22, inclusive, of the printed bill, strike out the paragraph numbered "5", and insert

"5. By the court, upon motion of the defendant made at or before the time of demurring or answering, when it appears from affidavits or otherwise that the cause of action did not arise within this State, and that a court of this State is not a convenient forum for the parties and witnesses and that the dismissal of the action will serve the interests of justice. If the court determines to grant the motion, it shall make an interlocutory order which shall impose such conditions as the court in its discretion deems just and reasonable, but, in any event, such interlocutory order shall require that there be filed in the action a written agreement executed by the moving defendant and such other defendants as the court shall determine, which agreement as to each such defendant shall contain

(a) such stipulations as may be necessary to provide effectively that plaintiff may bring and maintain an action upon the same cause of action in such jurisdiction or jurisdictions as the court shall determine or, if such action cannot be brought and maintained in any such jurisdiction, that the interlocutory order and any final dismissal shall be vacated and that the time within which the action must be brought to trial shall commence on the date when the interlocutory order or dismissal is so vacated; and

(b) such stipulations as may be necessary to suspend effectively all statutes of limitations which have not expired at the time the action was commenced for a period sufficient to make effective the provisions of the foregoing subdivision (a) which period shall be not less than 180 days after the dismissal shall become final; and

(c) such stipulations as may be necessary to assure that the moving defendant, and such other defendants as the court shall determine, will voluntarily make a general appearance in, or be subject to the process of a court in the jurisdiction or jurisdictions determined by the court as provided in subdivision (a).

Upon proof that the conditions of the interlocutory order have been performed within the time allowed, the court, upon motion, shall thereupon enter a judgment of dismissal. If the conditions are not performed, the court, upon motion, shall vacate the interlocutory order and enter an order denying the motion or make such other order as is just. An interlocutory order hereunder is an appealable order.

The party making the motion shall have the burden of proof that the cause of action did not arise within this State, that a court of this State is not a convenient forum for the parties and witnesses and that dismissal will serve the interests of justice.

This subdivision (5) shall apply to actions pending at the time of the effective date hereof, the trial of which has not commenced. As to such actions, a motion pursuant to this subdivision may be made within 90 days after such effective date but in any event not later than the date when the case is called for trial."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 789 by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1021**—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1021?

**Amendment No. 1**

On page 1, line 13, of the printed bill, insert after "armory" and before "may" "shall be paid and deposited pursuant to rules and regulations adopted by the Adjutant General and".

**Amendment No. 2**

On page 1, line 17, strike out "and may be,"; and on page 1, line 18, strike out "applied either by the Adjutant General or said armory boards,"; and on page 1, line 19, strike out "in", and insert "which shall include but not be limited to".



**Amendment No. 3**

On page 1, line 20, insert after "expenses" and at the end of the sentence "and assistance and allowances to units and organizations of the active militia, including the National Guard and Air National Guard. Post, welfare or similar unit or organizational funds may be established and deposited pursuant to rules and regulations adopted by the Adjutant General."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1021 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1605**—An act to repeal Section 1552.4 of the Welfare and Institutions Code and to add Section 1552.4 to said code, relating to aid to needy children.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 1605?

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "to provide", and insert "of providing".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 1605 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Above bill ordered enrolled.

**Senate Bill No. 1332**—An act to amend Section 1101 of the Insurance Code, relating to interest of officers of admitted insurers.

**Consideration of Governor's Veto**

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 1332 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate sustained the objections of the Governor by the following vote:

**AYES**—None.

**NOES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

Chief Assistant Secretary Cleve V. Taylor at the Desk

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 822**—An act to amend Sections 550 and 567 of the Military and Veterans Code, relating to the organization and maintenance of the California National Guard Reserve at cadre strength during



such time as may be necessary, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 470**—An act to add Article 2.5 to Chapter 6 of Division 4 of the Agricultural Code, relating to frozen dairy products and imitations thereof, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in Senate March 31, 1953, after "products", insert "or unless it is sold under a trade name or other name which does not indicate that it is a frozen dairy product or an imitation frozen dairy product".

Amendment read.

**Motion to Lay on the Table**

Senator Desmond moved that the amendment offered by Senator Miller to Senate Bill No. 470 be laid on the table.

**Roll Call Demanded**

Senators Miller, O'Gara, Montgomery, and Tenney demanded a roll call.

The roll was called, and the motion to lay the amendment offered by Senator Miller on the table carried by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Parkman, Powers, Regan, Sutton, Way, Weybret, and Williams—29.

**NOES**—Senators Breed, Dorsey, Miller, O'Gara, and Tenney—5.

**Further Consideration of Senate Bill No. 470**

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Parkman, Powers, Regan, Sutton, Way, Weybret, and Williams—28.

**NOES**—Senators Breed, Dorsey, Grunsky, Miller, O'Gara, Tenney, and Thompson—7.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Thompson, Way, and Weybret—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 578**—An act to amend Section 164 of the Vehicle Code, relating to renewal of registration of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1945**—An act to add Section 414.5 to the Vehicle Code, relating to insurance requirements for passenger carrying vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 790**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, Parkman, Sutton, Tenney, Thompson, Way, and Williams—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 347**—An act to add Sections 2154, 2203.5, 2304.5, and 2420.1 to, and to amend Sections 3871, 3873, 3878, and 3880 of, the Elections Code, relating to delegates to national conventions of political parties.

**Motion to Re-refer Senate Bill No. 347**

Senator Dilworth moved that Senate Bill No. 347 be re-referred to Committee on Elections.

Motion carried.

**Senate Resolution No. 98**

**Relative to the Pacific Bible College**

WHEREAS, For 53 years the Pacific Bible College of Azusa, Incorporated, has been an educational institution of specialized learning, growing with the community and completely dedicated to the Christian way of life on which foundation the United

States of America was conceived, its purpose being to offer to its students a general education of arts, letters, and sciences with a core curriculum of Bible to prepare them for their philanthropic tasks and God-given responsibilities in the schools and churches of our Nation and as leaders both spiritual and civic in the communities and as ambassadors for Christ in mission fields ripe unto harvest throughout the world; and

WHEREAS, Pacific Bible College of Azusa is dedicated to the words of the Lord Jesus Christ who said, "Seek ye first the Kingdom of God and His righteousness \* \* \*" and to the motto of the College, "God First", which has become the watchword of every student and faculty member, and being so dedicated, instills the pledge of allegiance both to the Flag of the United States of America and to the Government of the United States, which government and the power thereof is ordained and blessed of God; and

WHEREAS, The Pacific Bible College faculty and staff are composed of men and women educated in the finest colleges and universities in the Nation, being well-prepared in their respective fields with earned degrees; and whereas, the official Board of Pacific Bible College is made up of men from 15 different denominations showing that cooperation and fellowship are possible among people of different denominations of the Christian faith; and

WHEREAS, Pacific Bible College, besides being a regular four-year college leading to various degrees, each with adequate study in its respective field, plus study in the Word of God, the Pacific Bible College is interdenominational, the student body representing some 20 to 30 denominations each semester with four denominations making P.B.C. their church school on the West Coast; and

WHEREAS, No other school west of Chicago, Illinois, offers such extensive courses in the field of radio, including both technical and production training, including the building of radio sets at the college by the students, which sets are sent to missionaries all over the world, and the use of student-produced programs now broadcast from Manila, Philippines, and other stations both short and long wave over the world; and

WHEREAS, Graduates and alumni of Pacific Bible College have brought glory to God, to the United States, and to P.B.C. by their works in missionary endeavor and in defense and economic production for the American people, and as graduates of the school, have had their translations of the Bible published by both the British and Foreign Bible Society and the American Bible Society; and working for victory in World War II, graduates and former missionaries made major contributions to the war effort, and other graduates are making daily contributions by farming and other occupations necessary to the economic and military security of our nations; and

WHEREAS, Over 96 percent of all graduates of the College from its beginning in 1899 have been active in some kind of Christian work and over 90 percent of these have been and are in full-time Christian Service; and over the past 11 years, 1942-1952, exactly 99.3 percent of all graduates are in some phase of service for Christ and the Church; and

WHEREAS, Eighty percent of the students at Pacific Bible College are working full or part-time to support themselves during their training period for accredited education, as well as participating in service to the surrounding communities in church and youth work as well as in civic programs, in duties and capacities covering the range of everyday living, such as, pastors, youth directors, Sunday School teachers, church school superintendents, playground supervisors, choir directors, nurses, defense workers, and other occupations which contribute wholesome and moral strength to the community and thus to the Nation; and

WHEREAS, Graduates of Pacific Bible College have entered Christian service in all parts of the world and have rendered singular service to the peoples of many foreign governments in the education and training of their young and teachable, and have rendered service to humanity and to God by ministering to their physical and spiritual needs, 23 percent of these graduates having left their homeland to enter missionary service in foreign nations, including Africa, Bolivia, Mexico, Guatemala, Philippines, British Guiana, China, Korea, Formosa, Chile, Colombia, and other countries with an allegiance to God and to the United States of America equalled only by those who die on the field of battle; and the students and faculty of Pacific Bible College have been well represented in the armed forces of the United States in both the great wars, as enlisted men, officers, and chaplains of the Army, Navy, Marine Corps, and of the Air Force; and

WHEREAS, Many of the graduates of Pacific Bible College of Azusa have continued their education by post-graduate work at some of the Nation's leading universities and colleges where they have established an excellent record of scholastic and academic achievement, and have gone forth to serve as outstanding religious leaders of many different denominations, some as college presidents, deans, registrars, college professors, and public or Christian day school teachers; and

WHEREAS, Not one graduate or alumni of Pacific Bible College of Azusa has ever been involved in or has assented to any subversive activity against the Government of the United States of America, or against the governments of countries in which they have served; and



WHEREAS, The Pacific Bible College of Azusa, Inc., is continually endeavoring to raise its standards, spiritually, and morally, in order to offer a more complete, more encompassing educational service to its students, that they may more effectively serve God and their Country, and the foreign countries in which they minister; now, therefore, be it,

*Resolved by the Senate of the State of California,* That we do heartily commend the Pacific Bible College of Azusa, California, for the character of the service it is rendering to the youth and through them to our Country and to the many other friendly nations where its graduates have gone and will go; and be it further

*Resolved,* That the various state supported educational institutions be requested to render all reasonable service and cooperation to the students of the Pacific Bible College of Azusa, California, engaged in collegiate courses; and be it further

*Resolved,* That the Secretary of the Senate be directed to prepare a suitably prepared copy of this resolution and transmit it to the President of the Pacific Bible College of Azusa, California.

Resolution read, and adopted on a motion of Senator Tenney.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read.

The roll was called.

#### Call of the Senate

Pending the announcement of the vote, Senator Tenney moved that the quorum call be applied to the adoption of the urgency clause to Assembly Bill No. 13.

Motion carried. Time, 4.45 p.m.

### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 5 p.m., on motion of Senator Tenney, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 13 was adopted by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—Senators Abshire, Breed, Dilworth, Grunsky, Ed. C. Johnson, McBride—6.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 5.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE SENATE THIRD READING OF ASSEMBLY BILLS (RESUMED)

#### Further Consideration of Assembly Bill No. 13

**Assembly Bill No. 13**—An act to add Sections 4786.5 and 4794.5 to the Health and Safety Code, relating to bond elections in county sanitation districts, declaring the urgency thereof, to take effect immediately.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Harold T. Johnson, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—Senators Abshire, Breed, Dilworth, Grunsky, Ed. C. Johnson, and McBride—6.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 5.55 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**REQUEST TO PRINT OPINION OF THE LEGISLATIVE COUNSEL**

Senator Miller asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding Senate Bill No. 470 printed in the Journal:

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

April 8, 1953

*Constitutionality of Senate Bill No. 470 as Amended in Senate  
April 6, 1953—Nos. 8129, 8217, 8227, 8272*

We have been asked for our opinion as to the constitutionality of Senate Bill No. 470, as amended in Senate April 6, 1953.

This bill would prohibit the manufacture and sale of imitation frozen dairy products. It would suspend the operation of existing regulatory provisions relating to imitation ice cream and imitation ice milk and provide that insofar as the prohibitory provision may become inoperative the regulatory provisions shall again become operative.

*Question*

The question is whether or not the Legislature may prohibit the manufacture and sale of imitation frozen dairy products.

*Opinion*

We cannot give a categorical answer to this question. The answer will depend upon what approach the court takes if and when the matter is presented to it and the facts under which the case arises. While we are inclined to the view that the court would hold that absolute prohibition of such products is not required in order to protect the public, we cannot predict this result with any certainty.

There are a number of court decisions sustaining the prohibition of the sale of imitation dairy products. The most nearly in point are the so-called filled milk cases most of which are collected in an annotation in 155 American Law Reports 1383.

"Filled milk" apparently is made by extracting the milk fat from milk and adding an equivalent or greater amount of vegetable fat. The compound is then evaporated or condensed and the resulting product resembles evaporated or condensed milk.

In a majority of the cases involving statutes prohibiting the sale of filled milk the constitutionality of the statutes was sustained. In some of the cases the basis of the decision was that the nutritive qualities of vegetable fat were not as great as those of milk fat. In some the fact that the product resembled something which it was not was emphasized.

In *Carolene Products Co. v. United States*, 323 U. S. 18, the United States Supreme Court sustained the validity of the federal "filled milk" act, which prohibited the transportation of such product in interstate commerce. The court apparently conceded that the product involved was as nutritious as the milk product it resembled. The product was admittedly sold only in properly labeled containers. The court, however, said that the presence in interstate commerce of a product resembling a milk product would result in "confusion" on the part of the purchasers. Apparently the court considered that the elimination of such confusion was a legitimate end for the exercise of the police power by Congress.

The court in the *Carolene Products* case also pointed to a certain committee report in which the question arose as to whether or not the regulation, rather than the prohibition, of the transportation of the product would sufficiently protect the public interest. The court then said, in effect, that since Congress had its choice between regulation and prohibition and chose the latter its decision was final.

There is ample precedent for the proposition that when the validity of a statute depends upon a determination of which of two remedies for an evil should be applied the courts will not disturb the determination of the Legislature.

Therefore the court could say that the Legislature has the power to prohibit the manufacture and sale of imitation products in proper cases and that it was the prerogative of the Legislature to determine what remedy was most suitable to meet the condition aimed at. There is something in the nature of a presumption of constitutionality in any statute. There is no express provision in the Constitution which makes such a prohibitory statute unconstitutional.

By the foregoing line of reasoning the court could sustain such a prohibitory act. The difficulty with that approach is that any case that can arise under such a prohibitory act will present a concrete, rather than an abstract, question. In such a case the court's reasoning might be as follows:

Under the present law the manufacture and sale of imitation ice cream and imitation ice milk is regulated but not prohibited. The regulations appear in Sections 576 to 583, inclusive, of the Agricultural Code. Section 580 provides that such products may not be manufactured, handled, or sold where ice cream or ice milk is manufactured, handled, or sold. Section 579 makes it unlawful to sell imitation ice cream or imitation ice milk in bulk for the purpose of resale. Sections 581, 582, and 583 require certain labels on containers and signs on vehicles transporting, and in places selling, such products.

We are informed that at present no imitation ice cream or imitation ice milk is being made or sold in California. The rigid regulatory provisions apparently operate as a prohibition. In order for S.B. 470 to ever reach a court test some one would have to attempt to go into the business of making and selling imitation frozen dairy products.



If we assume that he proposed to make an imitation ice cream which had nutritional qualities equal to ice cream and also proposed to make and market it in accordance with the present regulatory provisions, he could seek to enjoin the enforcement of the prohibitory act as to his product.

In such a case the court could find that there was no justification for the prohibition as a health measure and that the regulatory provisions were amply sufficient to prevent fraud or deception. The court could then find that the practical effect of the prohibitory law would simply be the barring of a competitive product from the market.

The case of *Dairy Queen of Wisconsin v. McDowell* (Wis. 1952), 51 N.W. 2d, 34, involved the following facts: The product in question was not an imitation ice cream but contained different percentages of the same ingredients. Specifically, Dairy Queen contained 6 percent milk fat and 13.5 percent milk solids not fat, whereas standard ice cream contained 13 percent milk fat and 10.5 percent milk solids not fat. The other ingredients were the same in both products. It was proposed to sell Dairy Queen in retail outlets in which no other products were sold and all containers were to be marked and designated as Dairy Queen. In each store a sign was to be posted stating that Dairy Queen was not an ice cream or sherbet.

The Director of Agriculture of Wisconsin was enjoined from prohibiting the sale of Dairy Queen under those circumstances. The court said "It is our conclusion that the general welfare does not require prohibition of the manufacture and sale of the product here in question, the power of regulation being sufficient to prevent any fraud upon the consuming public" (51 N.W. 2d, at 38).

While the *Dairy Queen* case is distinguishable upon its facts it may be cited for the general proposition that when a regulatory statute will suffice a prohibitory one would not be reasonable. It will be noted that the conditions under which Dairy Queen was to be sold are quite similar to those applicable to imitation ice cream and imitation ice milk under the present California law.

In *Jolke Co. v. Emery* (Wis.) 214 N.W. 369 the court held a statute prohibiting the sale of uncolored oleomargarine unconstitutional. The court said that the state could not protect the dairy industry by crippling or destroying a competing industry.

When S.B. 470 comes before the court, the court will be confronted with a situation where a prohibitory law is superimposed upon a regulatory law which seems adequate to prevent fraud or deception.

In the case of *State Board of Dry Cleaners v. Thrift-D-Lux Cleaners* (March 10, 1953) 40 A.C. 439 the court held the statute providing for fixing of minimum price schedules for dry cleaning unconstitutional. In the course of the decision the court said:

"However, in the exercise of the police power the law places limits on the discretion of the Legislature. Whether there has been a reasonable exercise of this power is a court question." (p. 443)

The court also said:

"But a legislative body may not, under the guise of providing for this component of the police power (the general welfare) impose unnecessary and unreasonable restrictions upon the pursuit of



these useful activities. If a statute has no real or substantial relation to any legitimate police power objective, it is the duty of the court to so declare" (p. 445).

Therefore, when S.B. 470 comes before the court the court might find that the sole effect of the bill would be to prohibit a "useful activity" when any harmful results from such activity could be taken care of by regulation, rather than prohibition.

RALPH N. KLEPS

Legislative Counsel

By JOSEPH W. PAULUCCI, Deputy

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Tenney moved that Assembly Bill No. 2988 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 1423 AND 1424

Senator Kraft moved that Senate Bills Nos. 1423 and 1424 be withdrawn from Committee on Social Welfare and re-referred to Committee on Education.

Motion carried.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Harold T. Johnson moved that Senate Bill No. 1923 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Burns moved that Senate Bill No. 1774 be taken from the inactive file and placed on the second reading file.

Motion carried.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 53

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read the first time:

**Assembly Concurrent Resolution No. 53**—Relative to the appointment of William B. Rumford as a member of a team invited to visit certain German cities.

Referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 6  
 Assembly Bill No. 17  
 Assembly Bill No. 339  
 Assembly Bill No. 510  
 Assembly Bill No. 642  
 Assembly Bill No. 949  
 Assembly Bill No. 1001  
 Assembly Bill No. 1153  
 Assembly Bill No. 1302  
 Assembly Bill No. 1491  
 Assembly Bill No. 1616

Assembly Bill No. 1620  
 Assembly Bill No. 1702  
 Assembly Bill No. 1723  
 Assembly Bill No. 1736  
 Assembly Bill No. 2102  
 Assembly Bill No. 2504  
 Assembly Bill No. 2532  
 Assembly Bill No. 2902  
 Assembly Bill No. 1180  
 Assembly Bill No. 1143  
 Assembly Bill No. 2104

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 6**—An act declaring a portion of the land conveyed to the City of Coronado by Chapter 49 of the Statutes of 1923, as amended, unavailable for navigation, commerce, and fisheries, and excluding such portion from the public trust for navigation, commerce, and fisheries, and declaring such lands to be free from certain trusts, uses and conditions, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 17**—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

Referred to Committee on Business and Professions.

**Assembly Bill No. 339**—An act to add Chapter 9, comprising Sections 54950 to 54958, inclusive, to Part 1, Division 2, Title 5, of the Government Code, relating to meetings of legislative bodies of local agencies.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 510**—An act to amend Section 459.7 of the Vehicle Code, relating to the adoption of local rules and regulations affecting traffic on private roads and ways.

Referred to Committee on Transportation.

**Assembly Bill No. 642**—An act to amend Section 50400 of the Government Code, relating to the levy of an annual tax to maintain and improve public parks.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 949**—An act to amend Section 6408 of the Labor Code, relating to the reporting of death cases.

Referred to Committee on Labor.

**Assembly Bill No. 1001**—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools

of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Referred to Committee on Business and Professions.

**Assembly Bill No. 1153**—An act to amend Section 8919 of the Business and Professions Code, relating to yacht and ship brokers.

Referred to Committee on Transportation.

**Assembly Bill No. 1302**—An act to amend Section 38f of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) and to amend Sections 23816, 23817, 23819, 23820, and 23821 of the Business and Professions Code, relating to on- and off-sale general liquor licenses.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1491**—An act to amend Section 479 of the Code of Civil Procedure, relating to arrest and bail in civil cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 1616**—An act to add Section 11030.1 to the Government Code, relating to state employees.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1620**—An act to amend Section 28145 of the Government Code, relating to counties and county officers.

Referred to Committee on Local Government.

**Assembly Bill No. 1702**—An act to add Section 18000.5 to the Government Code, relating to the salaries of state officers and employees.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1723**—An act to add Section 21332.5 to the Government Code, relating to the State Employees' Retirement System in respect to the manner of payment of benefits under Optional Settlement One.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 1736**—An act to amend Section 20005 of the Education Code, relating to the residence of students at the University of California.

Referred to Committee on Education.

**Assembly Bill No. 2102**—An act to renumber Section 6019, added by Statutes of 1951, Chapter 798, of, and to amend Section 6486 of, the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2504**—An act to amend Sections 340, 353, 353.8, 354, 359.5, 364, and 364.1 of, to repeal Section 353.3 of, and to add a new Section 359.10 to, the Agricultural Code, relating to fees and licenses for hide and brand inspection and slaughter of cattle.

Referred to Committee on Agriculture.

**Assembly Bill No. 2532**—An act to amend Section 51 of the Fish and Game Code, relating to licensed game bird clubs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2992**—An act to amend Section 330 of the Fish and Game Code, relating to property of the State used for fish and game purposes.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1180**—An act to amend Sections 440, 441, and 442 of, to amend and renumber Section 443 of, and to add Sections 443, 444, 444.1, 444.2 and 444.3 to, the Fish and Game Code, relating to fishing.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1143**—An act to amend Section 3700 of the Labor Code, relating to compensation insurance and security.

Referred to Committee on Labor.

**Assembly Bill No. 2104**—An act to amend Section 43068 of the Government Code, relating to municipal park and recreation facilities.

Referred to Committee on Local Government.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 43

Senate Concurrent Resolution No. 46

Senate Concurrent Resolution No. 44

Senate Concurrent Resolution No. 47

Senate Concurrent Resolution No. 45

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 97

Senate Bill No. 1018

Senate Bill No. 167

Senate Bill No. 1022

Senate Bill No. 385

Senate Bill No. 1132

Senate Bill No. 386

Senate Bill No. 1134

Senate Bill No. 389

Senate Bill No. 1594

Senate Bill No. 497

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 40

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered to unfinished business file.



ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 92

Senate Bill No. 680

Senate Bill No. 784

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

# WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 487

Senator Weybret moved that Senate Bill No. 487 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 487** An act to amend Section 958 of the Fish and Game Code, relating to nets.

Bill read second time.

### Motion to Amend

Senator Weybret moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 3, 1953, strike out "Section 958", and insert "Sections 924 and 958".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 924 of the Fish and Game Code is amended to read:

924. In that part of District 16 lying north and west of a line drawn from the light on the end of the Monterey breakwater magnetic east to the shore line, purse and round haul nets may be used *to take fish other than squid and lampara nets may be used to take squid.*

In that portion of District 16 lying southerly of the Monterey breakwater and south of a line drawn from the light on the end of said breakwater magnetic east to the shore line, [purse and round haul] *lampara* nets may be used from June 1st to August 31st for the purpose of taking squid.

SEC. 2. Section 958 of said code is".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

# WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 489

Senator Parkman moved that Senate Bill No. 489 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 489**—An act to add Sections 14075.1, 14075.2, and 14075.3 to the Health and Safety Code relating to fire protection districts in unincorporated areas.

Bill read second time.

**Motion to Amend**

Senator Parkman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, after line 8, of the printed bill, insert:

"14075.2—(a) The district board is authorized, but is not required, to provide for a pay schedule and to compensate the employees of its fire department for all emergency calls, and details.

(b) The district board is authorized, but not required, to provide for and pay to its fire department officers for the services set forth above, amounts in addition to the base pay above mentioned."

**Amendment No. 2**

On page 1, strike out lines 9 to 27, inclusive.

**Amendment No. 3**

On page 2, strike out lines 1 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, and is referred to Committee on Local Government.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1756

Senator Hoffman moved that Senate Bill No. 1756 be withdrawn from Committee on Fish and Game for purpose of amendment and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1756**—An act to amend Sections 1065, 1066, 1067, and 1071 of, to add Sections 1065.5 and 1066.5 to, and to repeal Section 1070 of, the Fish and Game Code, relating to fish.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3 of the title of the printed bill, after the second "fish", insert ", and declaring the urgency thereof."

**Amendment No. 2**

On page 1, line 17, strike out "September 16th and May 15th", and insert "August 1st and March 31st".

**Amendment No. 3**

On page 1, line 20, strike out "September 16th and May 15th", and insert "August 1st and March 31st".

**Amendment No. 4**

On page 2, after line 42, insert:

"SEC. 5. The act shall take effect upon the passage of Assembly Bill of the Constitution and shall go into immediate effect. The facts constituting such necessity are: The salmon and steelhead fisheries are among the most important of the State's fishery resources contributing greatly to the health and prosperity of the people and producing valuable food and by-products. The Puget and Pacific salmon have become progressively poorer, causing distress to the industry. Immediate recovery of the diminished Salmo is essential to the well being of the State's industry. In order to

provide for the regulation of the 1953 fisheries, which commence during the summer, it will be necessary for this bill to be effective as of June 1, 1953."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

### Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1075

Assembly Bill No. 533

Assembly Bill No. 2739

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 149

Assembly Bill No. 647

Senate Bill No. 456

Assembly Bill No. 1745

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1126

Senate Bill No. 1807

Assembly Bill No. 486

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

PARKMAN, Chairman

Above reported bills ordered to second reading.

### Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 220

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 501

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 499

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

## Committee on Business and Professions

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1403

Senate Bill No. 1881

Assembly Bill No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Assembly Bill No. 102

Assembly Bill No. 1372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 3; absent 1.

DESMOND, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1727

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 2; absent 1.

DESMOND, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred: Senate Bill No. 734

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1336

Assembly Bill No. 1976

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 607

Senate Bill No. 618

Assembly Bill No. 1975

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 199

Senate Bill No. 411

Senate Bill No. 1769

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DESMOND, Chairman

Above reported bills ordered to second reading.

#### Committee on Labor

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Assembly Bill No. 1575

Assembly Bill No. 1941

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

Mr. President: The Committee on Labor to which was referred

Senate Bill No. 1247

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

Mr. President: The Committee on Labor to which was referred

Senate Bill No. 874

Senate Bill No. 1246

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and proceed to the committee.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

Mr. President: The Committee on Labor to which was referred

Assembly Joint Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1953

Mr. President: The Committee on Labor to which was referred

Senate Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 6; absent 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

## LETTER OF TRANSMITTAL

SENATE INTERIM COMMITTEE ON ADMINISTRATIVE REGULATIONS

SACRAMENTO 14, April 9, 1953

Hon. Gustave F. Knight

President of the Senate

Senate Chamber, State Capitol

Sacramento, California

Mr. President: This committee was created by Senate Resolution No. 180 of the 1951 Session of the Legislature, and was directed to ascertain, study, and analyze all laws relating to the rule-making powers of state administrative agencies, and the exercise of such powers. The committee was directed to report to the Legislature its findings at the 1951 Session of the Legislature.

Since the filing of the Preliminary Report of the committee on March 24, 1952, the committee has investigated the exercise of the rule-making functions of more than 100 state agencies which promulgate and enforce rules and regulations under a statutory grant of power by the Legislature. The committee does not intend that it has completed its work and feels that it has only crossed the threshold in ascertaining the facts behind the operation of the rule-making powers of state agencies. However, investigation has revealed certain practices and procedures of administrative agencies which seem to require the intensive attention of the Legislature.

Therefore, this committee respectfully submits at this time its Second Preliminary and Partial Report.

Respectfully submitted,

F. PRESLEY ABSHIRE, Chairman

The letter of transmittal ordered printed in the Journal.

The Second Preliminary and Partial Report submitted by the Senate Interim Committee on Administrative Regulations ordered printed in the Appendix to the Journal.

#### **MOTION TO PRINT REPORT**

Senator Powers moved that 2,000 additional copies of the Senate Interim Committee's Second Preliminary and Partial Report be printed for distribution.

Motion carried.

#### **ADJOURNMENT**

At 6.05 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, April 10, 1953.

JOHN F. LEA, Minute Clerk





CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

FIFTY-NINTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 10, 1953

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Miller, on motion of Senator Powers, due to legislative business.

Senator Murdy, on motion of Senator Powers, due to legislative business.

Senator Abshire, on motion of Senator Powers, due to legislative business.

Senator Dorsey, on motion of Senator Powers, due to legislative business.

Senator Parkman, on motion of Senator Powers, due to legislative business.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harold Carlson of Hanford.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teacher Mrs. Chester W. Walker, adults Mrs. Avery Rowley, Mrs. D. Burgess, Mrs. John Huebert, Mrs. Jack Derryberry, and Mrs. Don Smith, and the following students from Hamilton Union High School: Jerald Burgess, Don Lancaster, Fred Hall, James Reimer, Pat Dolan, Gloria Compton, Clifford Wells, Billy Derryberry, Jack Hayes, Loretta Thew, Maria von Lilienfeld-Toal, Fred von Pingel, Kenneth Perry, Pete Vidauri, Alpha Huebert, Sherrell Hull, Delbert Scott, Wilburn Gould, Arlene Porter, Erma Enns, Jim Rowe, and Nadine Arnold.

On request of Senator Ed. C. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to supervisors Mr. Walter Swanson, Mrs. Dessye Pickering, Mr. Clarence Henry, Mrs. Y. C. Worsham, Mrs. John McBee, Mrs. Warren Compton, and the following students of Olivehurst Elementary School, Olivehurst: Jacob Arellano, Elsie Blevins, Richard Compton, Keith Cariker, Quentin Cotter, Sylvia DeLozier, Arnold Essary, Eugene Hall, Coy Halsted, Neuti Hodges, Maudie Harmon, Ida Hopper, William Hughes, Betty Jackson, Joyce Jackson, Ramona Kesner, William Lowell, John McBee, Bonita Metcalf, Edward Moss, Carolyn Parsons, Geneva Pate, Rita Powell, Carl Reed, Joy Rice, Naomi Satterfield, Martha Scritchfield, Donald Simino, Billy Sinor, Coy Gene Stockton, Lawrence Seovill, Robert Whiting, Verle Williams, Vivienne Williams, and Darlene Worsham.

On request of Senators Powers, Harold T. Johnson, Collier, and Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. P. Kennedy, President of the Brotherhood of Railroad Trainmen, Cleveland, Ohio; L. F. Baumgartel and John McGillicuddy of Sacramento.

On request of Senators Montgomery and Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Berkeley Baptist Divinity School: Don Menzel, Edith Bayha, Jean Clelland, Bob Goebel, Yoshio Oshmia, Bernice Cofer, Gordon Lahrson, Hazel Lahrson, Jerry Weaver, Harry Howard, Doris Klindt, Margorie Oinz, Myron Erickson, Dale Bethell, Douglas Siden, and George Malone.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ike Brown of Los Angeles.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Joseph H. Meidl of Watsonville.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. George S. Malcolm of Auburn and Mrs. William G. Wilt of Lafayette.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Superintendent Mr. Emil Busch, Teachers Miss Eulalie Diehl, Mrs. Marian Tate, Philip Dougherty and the following Senior Girls from Santa Clara Union High School: Alta Anderson, Janet Bennett, Dolly Bennett, Eunice Coehlo, Nancy Collett, Eleene Cruz, Bonnie Daley, Cathy Ehrat, Sandra Eldridge, Raquel Escoto, Rosie Eto, Patricia Vierra, Wanda Faught, Marlene Fernandez, Pat George, Ophelia Hernandez, Joan LoCurto, Geraldine Marshall, Nadine Martin, Eva Navarrete, Mary Lou Navarrete, Marlene O'Brien, Patricia O'Carroll, Joyce Parker, Mercedes Partal, Lupe Perez, Shirley Perry, Loretta Reis, Marilyn Schmidt, Arlene Silva, Jean Swalley, Hilda Silva, Barbara Spitzer, Esther Tafoya, and Leona Taylor.

On request of Senators Breed and Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Helen Martel, Mrs. Josephine Parejo, Mrs. Vaclivik, Mrs. Schaffer, Lea Ella Baker, Pat Buckholder, Maria Felizianetti, Sandra Ferreira, Catherine Jones, Janice Martel, Jeanette Parejo, Nancy Rohm, Patricia Schaffer, and Celia Vaclivik, all of Alameda County.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John McElheney of Berkeley.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Henderson and Tom Severson of Sacramento.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Miss Louise Oneto, Mr. Sam Zones, Parents Mr. and Mrs. John Puffinbarger, Mrs. Poe, Mrs. Fryer, Mr. Wayne Rousey, Mrs. Elsie Craig, Mrs. Virginia Nelson, Mrs. Doris Woodward, Mrs. Edna Hymer, Mr. W. E. Pickett, Mrs. Andrew Sears, and the following Seventh and Eighth Grade students from San Andreas Elementary School: Robert Post, John Dragomanovich, Larry Woodward, Eddie Wiebe, Robert Bach, Wayne Paulk, Richard Werner, Sandra Nelson, John Trefz, Mary Jane Outcalt, Steve Neal, Judy Nighsonger, Kathleen Rousey, Frances Rousey, Virginia Grant, Danny Elzig, Erich Sender, Paul Laino, Barbara Milson, Myrna Short, Dean Blackwell, Shirley Sharp, Patty Fryer, Larry Brown, Jimmy Poe, Frankie Haro, Danny Gibson, Wayne Newell, Gary Carr, Sharron Holloway, Betty Paulk, Robert Ransdell, Harry Beckwith, Freddie Werner, Robert Turner, Michael Flock, Roy Montgomery, Gary Hymer, Jim Punte, Jess Quillen, Harry Briski, Peter Bonham, Bill Pickett, Dorothy Zwinge, Georgia Paulos, Kathy Lewis, Annie Rameriz, Wayne Short, Sandra MacNider, Sharron Sears, Eloise Hawner, Jerry Hofstetter, Barbara Morales, and Carol Moller.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Howard Taylor and Howard Lee of Oakland and Daryl Hutchins of Walnut Creek.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 98  
 Assembly Bill No. 111  
 Assembly Bill No. 476  
 Assembly Bill No. 651  
 Assembly Bill No. 720  
 Assembly Bill No. 743  
 Assembly Bill No. 1231  
 Assembly Bill No. 1422  
 Assembly Bill No. 1495  
 Assembly Bill No. 1820

Assembly Bill No. 1826  
 Assembly Bill No. 2241  
 Assembly Bill No. 2305  
 Assembly Bill No. 2569  
 Assembly Bill No. 2930  
 Assembly Bill No. 3238  
 Assembly Bill No. 3239  
 Assembly Bill No. 3475  
 Assembly Bill No. 3486

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 98**—An act to amend Section 6c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, and to amend Section 72301 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 111**—An act to amend Sections 985.5, 986.3 and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 476**—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons.

Referred to Committee on Judiciary.

**Assembly Bill No. 651**—An act to amend Sections 19364 and 19365 of the Government Code, relating to transfers of state civil service employees.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 720**—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of Chula Vista, in furtherance of navigation and commerce and the fisheries, and providing for the government, management, and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 743**—An act to amend Section 925 of the Penal Code, relating to investigations by the grand jury.

Referred to Committee on Judiciary.



**Assembly Bill No. 1231**—An act to add Chapter 8, comprising Sections 1980.1 to 1980.7, to Title 2, Part 4 of the Code of Civil Procedure, relating to blood tests to determine paternity.

Referred to Committee on Judiciary.

**Assembly Bill No. 1422**—An act to amend Section 9300 of the Financial Code and to add thereto Sections 6463 and 9308.1, relating to amendment of articles of incorporation of savings and loan associations and to conversion of federal savings and loan associations into state associations.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1495**—An act to amend Sections 65252, 65253, 65254, 65301, 65331, and 65332 of the Government Code, relating to planning commissions.

Referred to Committee on Local Government.

**Assembly Bill No. 1820**—An act to amend Sections 5000, 5001, 5002, 5004, 5013, 5055, 5057, 5060, 5200, 5201, 5205, 5206, 5207, 5208, 5350, 5351, 5352, 5501, 5507, 5513, 5814, 8102, 9300, 9304, 9307, 9308, 9309, 9553, 10000, 10001, 10002, 10003, 10007, 10008, 10200, 11000 and the titles of Division 2, Part 1 of Division 2, Chapter 2 of Part 1 of Division 2, and Part 2 of Division 2 of the Financial Code, relating to building, savings and loan associations and the administration of the law with respect thereto.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1826**—An act to amend Section 262.2 of the Code of Civil Procedure, relating to the execution of process.

Referred to Committee on Judiciary.

**Assembly Bill No. 2241**—An act to add Section 292.5 to the Vehicle Code, relating to suspension and revocation of driver's license.

Referred to Committee on Transportation.

**Assembly Bill No. 2305**—An act to add Sections 7615 and 7616 to the Financial Code, relating to the rights of investors in savings and loan associations to inspect records and to bring derivative actions.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 2569**—An act to amend Section 26826 of the Government Code, relating to the appearance of defendant, intervenor, respondent, correspondent, or adverse party.

Referred to Committee on Judiciary.

**Assembly Bill No. 2930**—An act to add Section 142.5 to the Vehicle Code, relating to vehicles exempt from registration.

Referred to Committee on Transportation.

**Assembly Bill No. 3238**—An act to add Sections 45 and 46 to the Construction and Employment Act (Statutes of 1946 (First Extraordinary) Session, Chapter 20), relating to the allocation of funds to cities,

making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 3239**—An act to add Section 38 to Chapter 47 of the Statutes of 1944, Second Extraordinary Session, relating to postwar public works programs, making an appropriation to be allocated to newly incorporated cities, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 3475**—An act to add Part 2.5 to Division 13 of the Health and Safety Code, creating a State Building Standards Commission and defining its duties and responsibilities.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3486**—An act to amend Section 24 of the Unemployment Insurance Act and Section 1586 of the Unemployment Insurance Code, relating to the disposition of revenue in the Department of Employment Contingent Fund and authorizing the sale of certain parcels of real property acquired with such funds.

Referred to Committee on Labor.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

**Assembly Constitutional Amendment No. 40**—A resolution to propose to the people of the State an amendment to the Constitution of the State by adding Section 7½a to Article XI thereof, relating to county charters.

Referred to Committee on Local Government.

#### REPORTS OF STANDING COMMITTEES

##### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 9, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 54  
Senate Bill No. 492  
Senate Bill No. 623  
Senate Bill No. 757  
Senate Bill No. 812

Senate Bill No. 824  
Senate Bill No. 1093  
Senate Bill No. 1643  
Senate Bill No. 1679

And reports the same correctly engrossed.

POWERS, Chairman

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hatfield announced that he was advised by the Legislative Counsel that Senate Bills Nos. 149 and 144 and Assembly Bill No. 1575 carry an appropriation.

The President ordered Senate Bills Nos. 149 and 144 and Assembly Bill No. 1575 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 207**—An act to add Article 4, comprising Section 53260, to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, relating to firemen's hours of employment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "off.", strike out "The salary or pay which any".

**Amendment No. 2**

On page 1, strike out all of lines 13 and 14.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1435**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54309, 54341, and 54516 of, and by adding Section 54516.1 to, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the issuance, sale, protection and payment or redemption of revenue bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 7 of the title of the printed bill, as amended in Senate March 26, 1953, strike out "Section 54516.1", and insert "Sections 54516.1 and 54516.2".

**Amendment No. 2**

On page 6, line 14, after "bonds", insert "and to the conditions specified in Section 54516.2 of this code".

**Amendment No. 3**

On page 6, line 16, strike out the second "corporation", and insert "operation".

**Amendment No. 4**

On page 6, between lines 38 and 39, insert

"Sec. 25. Section 54516.2 is added to the Government Code, to read:  
54516.2. The local agency shall let contracts made by it pursuant to Section 54516.1 to the highest responsible bidder after the publication of a notice inviting bids two or more times, not less than five days apart, in a newspaper of general circulation printed

and published in the city. If there is no newspaper of general circulation printed or published in the city, copies of the notice shall be posted in at least three public places in the city. Publication shall be commenced or notice posted not less than 15 days prior to the date set in the notice for the opening of bids.

The notice inviting bids shall distinctly and specifically describe the enterprise involved, the period of time for which the enterprise is to be operated or managed, and the minimum consideration to be paid under such contract.

If no bid which the local agency finds to be reasonable and valid is received upon the original advertising, the local agency need not readvertise."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1075**—An act to amend Sections 1090, 1091, 1092, 36525, 36526 and 36527 of the Government Code, relating to contracts of public officers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1, line 13, of the printed bill, strike out the colon; strike out lines 14 to 17, inclusive, and in line 18, strike out "(c) That", and insert "that".

##### Amendment No. 2

On page 2, line 8, of said bill, strike out the colon; strike out lines 9 to 12, inclusive, and in line 13 strike out "(c) That", and insert "that".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 456**—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1126**—An act to amend Section 61.2 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935) and to amend Section 25660 of the Business and Professions Code, relating to the sale of alcoholic beverages.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 15 to 21, inclusive, and insert "issued by a federal, state, county or municipal governmental agency containing evidence of majority and identity of such person, and that the defendant licensee or his agent or employee in examining said documentary evidence exercised reasonable care to ascertain whether the descriptive information contained in such documentary evidence bore a reasonable resemblance to the person presenting it, shall be a defense to".

##### Amendment No. 2

On page 2 of the printed bill, as amended, strike out all of lines 10 to 16, inclusive, and insert "issued by a federal, state, county or municipal governmental agency containing evidence of majority and identity of such person, and that the defendant licensee or his agent or employee in examining said documentary evidence exercised reasonable care to ascertain whether the descriptive information contained in such



documentary evidence bore a reasonable resemblance to the person presenting it, is a defense to the prosecution or”.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 1807**—An act to amend Section 9355 of the Government Code, relating to the Legislators' Retirement System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out “9355”, and insert “9359.8”.

##### Amendment No. 2

On page 1, line 1, strike out “9355”, and insert “9359.8”.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 3

On page 1, strike out lines 3 to 16, inclusive, and insert “9359.8. Upon the death of any member before retirement, his accumulated contributions shall be paid to his beneficiary, if he has designated one, and if not, to his estate. There shall also be paid to [his beneficiary or estate] *the beneficiary designated by a Member of the Legislature, if such beneficiary is dependent, wholly or in part, upon the member*, an amount equal to one-twelfth of the annual compensation of a legislator during the 12 months immediately preceding his death, multiplied by the number of completed years of service and prior service for which he is entitled to elect to receive credit. The benefits provided by this section are in addition to any benefits provided by Division 4 of the Labor Code.”

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Senate Bill No. 501**—An act to amend Section 432.5 of the Fish and Game Code, relating to licenses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 13, of the printed bill, strike out “1100”, and insert “1106”.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 499**—An act to amend Section 1106 of the Fish and Game Code, relating to commercial fishing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Fish and Game:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "twenty-five dollars (\$25)", and insert "ten dollars (\$10)".

**Amendment No. 2**

On page 1 of the printed bill, after line 22, insert "The provisions of this section do not apply to any boat which is rented without an operator being furnished, unless such boat is powered with an inboard motor in which case a certificate of boat registration is required."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1403**—An act to amend Section 6537 of, and to add Section 6548.5 to, the Business and Professions Code, relating to admission to barber colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate March 23, 1953, strike out "of", and strike out "to add section".

**Amendment No. 2**

In line 2 of the title, strike out "6548.5", and insert "6560."

**Amendment No. 3**

In line 3 of the title, strike out "admission to Barber Colleges", and insert "Barbers".

**Amendment No. 4**

On page 1, line 17, strike out "this state or".

**Amendment No. 5**

On page 1, line 20, strike out "or brush up".

**Amendment No. 6**

On page 1, strike out lines 21 to 23, inclusive.

**Amendment No. 7**

On page 2, strike out lines 8 to 16, inclusive.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 8**

On page 2, following line 7, insert

"SEC. 2. Section 6560 of said code is amended to read:

6560. Any person upon payment of the required fee, shall be granted permission to take an examination to determine his fitness to receive a certificate of registration to practice barbering if he complies with each of the following:

- (a) He is at least 18 years of age and of good moral character and temperate habits.
- (b) He has a diploma showing graduation from an eighth grade grammar school, or its equivalent as determined by an examination conducted by the board.
- (c) He has either:

(1) A *valid, unexpired, and unannulled* license or certificate of registration as a practicing barber from another state or country which has [substantially] *approximately* the same requirements for licensing or registering barbers as required by this chapter.

(2) Affidavits that he has practiced as a barber in another state or country [for at least two years prior to making application in this State.] *which requires no license or certificate, for at least two years during the five year period immediately prior to making the application. In computation of such period there shall be excluded the time spent in the Armed Forces of the United States or any of the United Nations, provided that the applicant was honorably discharged from such service, or was retired or relieved from active duty under honorable conditions.*

(d) *If an applicant for a barber's certificate issuable under this chapter twice fails to pass the examination required for the certificate, he shall not be eligible to be examined a third time until at least six months have elapsed from the date of the second examination taken by him; and if he fails the third examination, he shall not be eligible to be examined until at least six months have elapsed from the date of the third or any subsequent examination taken by him.*

[If he fails to pass the examination, he may file a new application accompanied by the required fee and take another examination.] In no event will he be permitted to practice barbering until such time as he satisfactorily passes an examination and receives a certificate of registration as a registered barber."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1881**—An act to amend Section 9530 of, and to add Section 9541.2 to, the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate April 2, 1953, strike out "Section 9530", and insert "Sections 9530 and 9541.1".

##### Amendment No. 2

On page 1, strike out line 20, and insert "The provisions of this section shall be".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

##### Amendment No. 3

On page 1, after line 21, insert

"SEC. 2. Section 9541.1 of said code is amended to read:

9541.1. Every licensee shall [cause] *sign his original or duplicate license and cause it to be posted in a conspicuous place, within reading distance of the consuming public, upon the premises owned or operated by such licensee.*"

##### Amendment No. 4

On page 2, line 1, strike out "4", and insert "3".

##### Amendment No. 5

On page 2, line 5, strike out the period and strike out lines 6 and 7; and in line 8, strike out "than one fictitious trade name".

##### Amendment No. 6

On page 2, line 16, strike out "outside of", and insert "within or without".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Senate Bill No. 1727**—An act to amend Section 6604 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, in line 5, of the printed bill, as amended in Senate April 3, 1953, strike out "tonic", and insert "tonics".

**Amendment No. 2**

On page 1, line 7, after "tainers", strike out the comma.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 734**—An act to amend Section 5227 of the Business and Professions Code, relating to the regulation of outdoor advertising.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1336**—An act to add Section 2556 a) to the Business and Professions Code, relating to dispensing opticians.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 607**—An act to amend Section 18671 of the Business and Professions Code, relating to amateur boxing contests.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 18671 of", and insert "Sections 18671, 18675, 18690, and 18780 of, and to add Section 18673.5 to,".

**Amendment No. 2**

On page 1, line 8, after "chapter", insert "whether a fee is received or not for admission to the contests".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, after line 8, insert

"SEC. 2. Section 18673.5 is added to said code, to read:

18673.5. The commission may license a club to conduct, hold, or give amateur boxing contests, sparring matches, or exhibitions, for which no admission fee is to be received by the club, if the commission determines, as its discretion finds advisable in the public interest, that the club will promote and protect the best interests of amateur boxing and amateur contestants. Notwithstanding any other provision of this chapter, the annual fee for such a license is three dollars (\$3), payable at the time an application for the license is filed. A license issued pursuant to this section shall be valid for a period of one year from the date of issuance unless sooner revoked or suspended by the commission.

No club shall conduct, hold, or give any amateur boxing contests, sparring matches, or exhibitions, for which no admission fee is received, unless the club is licensed pursuant to this section.

SEC. 3. Section 18675 of said code is amended to read:

18675. The commission shall not issue any license to conduct, hold, or give boxing contests or sparring or wrestling matches[, where an admission fee is received,] to any club which has not complied with the conditions of this chapter.

The commission may revoke any such license at any time if the licensee does not comply with the conditions of this chapter.



SEC. 4. Section 18690 of said code is amended to read :

18690. Before any license is granted to any club, to conduct, hold or give a boxing contest or a sparring or wrestling match, other than an amateur boxing contest or sparring match, the applicant therefor shall file a bond of two thousand dollars (\$2,000) with good and sufficient surety with the commission, conditioned for the faithful performance by the club of the provisions of this chapter and the payment of the taxes herein imposed.

Before any license is granted to any club to conduct, hold or give an amateur boxing contest or sparring match *for which an admission fee is received* the applicant therefor shall file a bond of not less than one thousand dollars (\$1,000) with good and sufficient surety with the commission, conditioned for the faithful performance by the club of the provisions of this chapter and the payment of taxes herein imposed.

SEC. 5. Section 18780 of said code is amended to read :

18780. Every club or person who directly or indirectly holds any boxing contest, or sparring or wrestling match [except where all contestants are amateurs and no admission fee is charged,] without first having procured a license is guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 618**—An act to amend Sections 19800 and 19803 of the Business and Professions Code, relating to weights of bread.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions :

##### Amendment No. 1

On page 1 of the printed bill, strike out lines 8, 9, and 10, and insert "ever, that larger loaves having weights that are multiples of the mean weight of a standard loaf weight may be made or procured for sale to restaurants, caterers, sandwich makers, hotels, commissaries, institutions, or other public eating places. The total".

##### Amendment No. 2

On page 1, line 12, strike out "loaves", and insert "loaf".

##### Amendment No. 3

On page 1, line 18, strike out "or any mul-", and insert ".".

##### Amendment No. 4

On page 1, strike out lines 19 and 20.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 199**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions :

##### Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate March 12, 1953, after "year" and before the semicolon, insert "or until October 1, 1955, whichever is later".

##### Amendment No. 2

On page 1, line 20, after "excess of", insert "two years", and strike out "one year".

##### Amendment No. 3

On page 1, in line 21, after the period, insert "The provisions of this section shall terminate on October 1, 1955."

**Amendment No. 4**

On page 1, following line 21, insert

"Section 2 is hereby added, to read:

"Sec. 2. Sections 2175, 2175.1 and 2176 of the Business and Professions Code are hereby repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 411**—An act to repeal Section 9561 of, and to add Sections 9505.3, 9533.5, 9533.6, 9541.2, and 9551.5 to, and to amend Sections 9501, 9502, 9506, 9540.7, 9580, and 9590 of, the Business and Professions Code, relating to the regulation of the dry-cleaning industry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 2, line 25, of the printed bill, as amended in the Senate April 2, 1953, after "clinic", insert "or short course".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1769**—An act to add Section 2553.1 to the Business and Professions Code, relating to dispensing opticians.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Senate March 11, 1953, after "certificate", insert "to".

**Amendment No. 2**

On page 1, line 4, after "ence", insert "and has been licensed for such period".

**Amendment No. 3**

On page 1, line 6, before the period, insert "upon filing an application in due form and filing an affidavit from three physicians and surgeons licensed by the Board of Medical Examiners who specialize in treatment of the eye, stating and certifying according to their own knowledge that the applicant is of good moral character and that the applicant is fully competent and qualified to accurately fill prescriptions for ophthalmic lenses and kindred products and to take facial measurements and to fit and adjust lenses or frames."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1555**—An act to add Section 119.5 to the Labor Code, relating to the employees of the Industrial Accident Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 119.5 to the Labor Code, relating to the"; and strike out line 2, and insert "Sections 122 and 122.1 to the Labor Code, relating to workmen's compensation and insurance."

**Amendment No. 2**

On page 1, line 1, strike out "119.5", and insert "122".

**Amendment No. 3**

On page 1, line 3, strike out "119.5", and insert "122".

**Amendment No. 4**

On page 1, line 4, strike out "licensed to practice medicine in this State", and insert "who shall possess physician's and surgeon's certificates granted under the provisions of Chapter 5, Division 2, of the Business and Professions Code".

**Amendment No. 5**

On page 1, line 6, after "Board", insert a period; strike out "for a range for the assistants of not less", and strike out all of lines 7 and 8.

**Amendment No. 6**

On page 1, after line 8, insert

"SEC. 2. Section 122.1 is added to said code, to read:

122.1. In order to assist persons claiming benefits under Division 4 of this code and to facilitate medical examinations in communities in which the commission has branch offices and in which the needs for such medical examinations are occasional only and which are not readily accessible to full time medical examiners of the commission, the commission may make arrangements with physicians who possess physician's and surgeon's certificates under the provisions of Chapter 5, Division 2, of the Business and Professions Code to make medical examinations and report their findings and recommendations based upon such examinations. The commission shall pay for such services out of any funds appropriated for that purpose or for the support of its medical bureau."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 1247.**—An act to amend Sections 5313 and 5315 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Labor:

**Amendment No. 1**

In the title of the printed bill, strike out "and", and insert a comma; and after "5315", insert ", 5800.5, and 5908.5".

**Amendment No. 2**

On page 1, line 3, strike out all of lines 3 to 12, inclusive, and insert

"5313. The commission, a panel, every referee or commissioner shall, within 30 days after the case is submitted, make and file a determination of the issues involved in the controversy. Together with the findings, decision, order or award made in determination of the issues there shall be served upon all the parties to the proceedings a summary of the evidence received and the reasons or grounds upon which the determination was made. The findings, decision, order, or award, if made by the commission or a panel, shall be signed by a majority of the commission or the panel."

**PRINTER'S NOTE.**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, following line 20, of said bill, insert

"SEC. 3. Section 5800.5 of said code is amended to read:

5800.5. The 30-day period specified in Section [5800] 5313, shall run from the date of the submission of the application for decision and the provisions requiring the decision within such 30-day period shall be deemed mandatory and not merely directive.

SEC. 4. Section 5908.5 of said code is amended to read:

5908.5. Any decision of the commission as a whole or of a panel thereof denying a petition for reconsideration or affirming, rescinding, altering, or amending the

original findings, order, decision, or award following reconsideration shall be in writing, signed by a majority of the commission or of the panel, and shall contain findings of fact and conclusions of law; state the reasons for the decision or shall specifically adopt reasons already stated by a commissioner or referee."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 859**—An act to repeal Section 4707 of the Labor Code, relating to the diminution of workmen's compensation death benefits on account of death benefits payable under the State Employees' Retirement Law.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

##### Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

##### Amendment No. 2

On page 1, line 1, strike out "repealed" and the period, and insert "amended to read: 4707. No benefits, except reasonable expenses of burial, not exceeding four hundred dollars (\$400) shall be awarded under this division on account of the death of an employee who is a member of the State Employees' Retirement System unless it shall be determined that a special death benefit, as defined in the State Employees' Retirement Law, will not be paid by the State Employees' Retirement System to the widow or children under 18 years of age, of the deceased, on account of said death, but if the total death allowance paid to said widow and children shall be less than the benefit otherwise payable under this division such widow and children shall be entitled, under this division, to the difference. *In the event of the death of a prison member six hundred dollars (\$600) shall be awarded as reasonable burial expense if the actual expense of burial of a prison member is less than six hundred dollars (\$600) said widow and children shall be entitled also to the difference between six hundred dollars (\$600) and the actual burial expense.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1066**—An act to amend Section 5307 of the Labor Code, relating to the powers of the Industrial Accident Commission.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor:

##### Amendment No. 1

On page 1, line 6, of the printed bill, after "official", insert "minimum".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

**Senate Bill No. 1248**—An act to amend Section 5708 of the Labor Code, relating to hearings and investigations in workmen's compensation proceedings.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor:

##### Amendment No. 1

On page 1, line 16, after "rulings," insert "Any party to a proceeding before the commission may, upon notice as provided by the rules of the commission, demand that



all oral testimony, objections, and rulings be taken down in shorthand by a competent phonographic reporter rather than be recorded by a mechanical, electrical, or electronic instrument or apparatus capable of reproducing the testimony, objections, and rulings."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1923**—An act to amend Sections 5391 and 5392 of, and to add Section 5022.5 to, the Streets and Highways Code, relating to improvements.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1774**—An act to amend Sections 7053 and 7355, and to repeal Sections 7303, 7350, 7351, 7352, 7353 and 7354 of the Health and Safety Code, relating to dead bodies.

Bill read second time, and ordered to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 533**—An act to amend Section 1362 of the Financial Code, relating to investment of funds of savings banks in district bonds, and declaring the urgency thereof.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 2, line 24, of the printed bill, as amended in Assembly March 27, 1953, strike out "whose", and insert "any of the".

##### Amendment No. 2

On page 2, line 25, after "ties", insert "of which".

##### Amendment No. 3

On page 2, line 28, after "projects", insert "as fixed in the construction contract therefor".

##### Amendment No. 4

On page 2, line 29, after "the", insert "maximum".

##### Amendment No. 5

On page 2, line 30, strike out "issued", and insert "to mature".

##### Amendment No. 6

On page 2, line 31, after "rates", insert "to produce revenue".

##### Amendment No. 7

On page 2, line 32, strike out "which together with said", and insert "or will receive".

##### Amendment No. 8

On page 2, line 32, strike out "to be received," and insert ", either or both of which".

##### Amendment No. 9

On page 2, line 34, strike out "is", and insert "or contract is".

##### Amendment No. 10

On page 3, line 5, strike out "arbitrary and".

##### Amendment No. 11

On page 3, line 7, strike out "irrespective of the quality"; and on line 8, strike out "of the bonds and security behind them".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2739**—An act to add Section 2.5 to the Judges' Retirement Fund Act (Chapter 771 of the Statutes of 1937), and to add Section 75107.5 to the Government Code, relating to the state contributions to the Judges' Retirement Fund.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

On page 2, line 11, of the printed bill, as amended in Assembly March 20, 1953, strike out "interest received on all", and insert "net interest or gain received on all investments of".

##### Amendment No. 2

On page 2, strike out lines 18 to 20, inclusive, and insert "total amount in the fund on the date of computation. The remainder".

##### Amendment No. 3

On page 2, line 46, strike out "interest received on all", and insert "net interest or gain received on all investments of".

##### Amendment No. 4

On page 3, strike out lines 1 to 3, inclusive, and insert "amount in the fund on the date of computation. The remainder so".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 647**—An act to amend Sections 18527, 18935, 18950, 18953, 18974.5, 18975, 19120, 19253, 19302, and 19681 of the Government Code, relating to state civil service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1745**—An act to amend Section 18006 of the Government Code, relating to the state civil service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 486**—An act to amend Sections 20017.5, 20025, 20038, 20060, 20130.2, 20165, 20230, 20307, 20360, 20361, 20390, 20393, 20523, 20609, 20653, 20656, 20680, 20681, 20682, 20683, 20804.5, 20894.5, 20931, 20932, 21021, 21025, 21205, 21250, 21251.15, 21261, 21296, 21298, 21331, 21335, 21364, and 21365 of the Government Code, to repeal Section 20631 thereof, and to add Sections 20010.5, 20134, 20166, 20302.5, 20339, 20651.5, 20810, 20811, 20812, 20860.5, 20894.7, 21261.5, and 21364.5 thereto, relating to the State Employees' Retirement System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

##### Amendment No. 1

In line 8 of the title of the printed bill, as amended in Assembly March 23, 1953, after "20523," insert "20527,".

##### Amendment No. 2

In line 13 of the title, after "20010.5," insert "20024.01,".

##### Amendment No. 3

In line 14 of the title, strike out "21261.5," and insert "21102.5, 21202.5, 21261.5, 21294.2, 21294.4,".

**Amendment No. 4**

On page 2, between lines 11 and 12, insert

"SEC. 2.5. Section 20024.01 is added to said code, to read:

20024.01. In the computation of the disability retirement allowance payable upon the retirement of a member for industrial disability, final compensation shall be determined only with respect to compensation earnable in the membership category applicable to the member at the time of the injury or the onset of the disease causing the disability."

**Amendment No. 5**

On page 4, line 34, after "Losses", insert "or gains".

**Amendment No. 6**

On page 4, line 36, after "losses", insert "or gains".

**Amendment No. 7**

On page 4, lines 37 and 38, strike out "and sums received in repayment of such losses".

**Amendment No. 8**

On page 4, lines 39 and 40, strike out "during the fiscal year in which such losses are written off or such sums repaid,".

**Amendment No. 9**

On page 7, line 20, strike out "and without right of revocation".

**Amendment No. 10**

On page 7, line 25, after the period, insert "An election to allow accumulated contributions to remain in the Retirement Fund may be revoked by the member at any time except while he is employed in state service in a position in which he is not excluded from membership in this system with respect to such service, and all contributions accumulated up to the time of revocation may then be withdrawn."

**Amendment No. 11**

On page 8, line 12, after "times", insert ", in amounts,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 12**

On page 8, between lines 16 and 17, insert

"SEC. 13.4. Section 20527 of said code is amended to read:

20527. This actual contribution is subject to such adjustment by the board as may be necessary on account of any additional prior service credits which the contracting agency may desire to provide for its employees in this system or on account of experience under this system as determined by periodical investigation, valuation and determination required to be made by the board[.], including adjustments determined as necessary by the board, even after the total contributions determined, plus subsequent adjustments, if any, have been completely paid."

**Amendment No. 13**

On page 8, line 23, after "service," insert "to be used in determining his service retirement allowance,".

**Amendment No. 14**

On page 9, strike out line 13, and insert "rate of contribution for, and the amount of any other contributions payable by,".

**Amendment No. 15**

On page 9, line 14, strike out "for".

**Amendment No. 16**

On page 9, strike out line 25, and insert "contribution for, and the amount of any other contributions payable by, each member employed therein. The".

**Amendment No. 17**

On page 9, line 27, strike out "deducted," and insert "determined and the other contributions payable,".

**Amendment No. 18**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 19**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 20**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 21**

The words "to take the subject of" shall read "to take the subject of".

**Amendment No. 22**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 23**

The words "to take the subject of" shall read "to take the subject of".

**Amendment No. 24**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 25**

The words "to take the subject of" shall read "to take the subject of".

**Amendment No. 26**

The words "to take the subject of" shall read "to take the subject of".

**Amendment No. 27**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

**Amendment No. 28**

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".

The words "to take the subject of" shall read "to take the subject of" and "shall" shall read "shall".



Sections 20024.01, 21202.5, and 21204.2, as the said sections exist on said effective date, had been in effect on the date of retirement of the member. This section does not authorize any decrease in any such retirement allowance, nor does this section give any recipient of any such retirement allowance, or his successors in interest, any claims against the State for any increase in any such retirement allowance paid or payable for time prior to its effective date. Calculations under this section shall be made on the basis of current interest rate and mortality tables."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**Assembly Bill No. 220**—An act to add Section 1251.5 to the Fish and Game Code, relating to deer, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

##### Amendment No. 1

On page 1, line 4, of the printed bill, after the comma, insert "or".

##### Amendment No. 2

On page 1, line 5, strike out ", or", and insert ". It is unlawful to take any female deer".

##### Amendment No. 3

On page 1, line 6, after "boundaries of", insert "Siskiyou County,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**Assembly Bill No. 94**—An act to add Article 4.5, consisting of Sections 7357-7359, to Chapter 10 of Division 3 of, to add Section 7374.5 to, and to amend Sections 7383, 7412, 7436, 7437, and 7442 of, the Business and Professions Code, relating to the practice of scalp massaging.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

##### Amendment No. 1

On page 2, lines 19, 20, and 21, of the printed bill, strike out "as a hairdresser and cosmetician or cosmetologist manager-operator,".

##### Amendment No. 2

On page 2, lines 28 and 29, strike out "hairdresser and cosmetician or cosmetologist manager-operator,".

##### Amendment No. 3

On page 2, strike out lines 38 to 50 inclusive, and insert

"7436. Licenses of hairdressers and cosmeticians or cosmetologists, instructors, cosmetologists, manicurists, scalp massagists, and permanent wavers expire on September 30th of each year. An application for renewal of a license shall be filed with the board during the months of August or September, accompanied by the renewal fee prescribed by this chapter. Thereupon the board shall renew the license for the ensuing year."

##### Amendment No. 4

On page 3, strike out lines 2 to 18, inclusive, and insert

"7437. A license which has expired for failure of the licensee to renew within the time fixed by Section 7436 may be reinstated within three years of the date of expiration upon application therefor and upon payment of the reinstatement fee provided by this chapter. After three years from the date of its expiration, a license may be reinstated only upon the filing of such application as the board may prescribe, furnishing of such

proof of good moral character and temperate habits as may be necessary, payment of the examination fee required by this chapter, and passing of the examination required by Section 7374."

**Amendment No. 5**

On page 4, after line 6, insert

"(r) 'The fee for examination as a permanent waiver is five dollars (\$5)."

(s) 'The reinstatement fee is four dollars (\$4).'"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**Assembly Bill No. 102**—An act to amend Section 7400 of the Business and Professions Code, relating to cosmetology students.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1372**—An act to add Section 2327 to the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 103**—An act to amend Section 7342 of the Business and Professions Code, relating to the qualifications of electrologists.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1976**—An act to amend Section 6945 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1975**—An act to amend Section 7686 of the Business and Professions Code, relating to administrative procedure of the State Board of Funeral Directors and Embalmers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Business and Professions:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "Division 2", and insert "Division 3".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1941**—An act to add Section 192 to, and to amend Sections 301, 311, 452, 626, 628.5, 632, 1701, and 2627 of the Unemployment Insurance Code, relating to unemployment and disability compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2988**—An act to amend Section 8213 of the Government Code, relating to notaries public.

Bill read second time.

**Motion to Amend**

Senator Tenney moved the adoption of the following amendment :

**Amendment No. 1**

On page 1, at the end of line 17 of the printed bill, add

"Such disposition shall not affect the time for commencement of actions on the bond. A certified copy of the record of the official bond with all affidavits, acknowledgments, endorsements, and attachments, may be read in evidence with like effect as the original thereof, without further proof."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 10.20 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****Senator Cunningham Presiding**

At 10.21 a.m., Senator James E. Cunningham of the Thirty-sixth District, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)****MOTIONS TO RECONSIDER**

Senator O'Gara moved to reconsider the vote whereby the amendment proposed by the Committee on Finance was adopted. Motion to reconsider continued to next legislative day. S. B. No. 558 was continued on second reading file on motion of Senator McCarthy.

**Postponement of Reconsideration**

Senator O'Gara moved that his motion to reconsider the vote whereby the proposed amendment from the Committee on Finance was adopted, be continued to the next legislative day.

The roll was called, and the motion carried by the following vote :

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—29.

NOES—None.

**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

**Senate Concurrent Resolution No. 40** -Relative to the changing of the name of the Russian Gulch State Park to Andrew E. Johnston State Park.

The question being : Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 40 ?

**Amendment No. 1**

In paragraph 3, line 11, of the printed resolution, strike out "directed", and insert "requested".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 40 by the following vote:

**AYES**—Senators Berry, Brown, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Eihart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.  
**NOES**—None.

Above resolution ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 92**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 92?

#### Amendment No. 1

On page 2, line 19, of the printed bill, as amended in Senate February 27, 1953, strike out "justice's", and insert "justice".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 92 by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Eihart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—24.  
**NOES**—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 680**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 680?

#### Amendment No. 1

On page 1, line 9, of the printed bill, after "effect", insert "If the court is satisfied that the named persons are dead and that they did not die simultaneously then the court shall make an order setting forth the order in which such persons died."

#### Amendment No. 2

On page 1, line 14, strike out "If the court is satisfied that"; strike out lines 15 and 16; and on line 17, strike out "order in which such persons died."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 680 by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Eihart, Grunsky, Hatfield, Ed. C. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—21.  
**NOES**—None.

Above bill ordered enrolled.



**Consideration of Assembly Amendments**

**Senate Bill No. 784**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 784?

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill, as amended in Senate March 24, 1953, strike out "sixteen thousand five hundred dollars (\$16,500)", and insert "eighteen thousand five hundred dollars (\$18,500)".

**Amendment No. 2**

On page 2, line 46, strike out "sixteen thousand five hundred dollars (\$16,500)", and insert "eighteen thousand five hundred dollars (\$18,500)".

**Amendment No. 3**

On page 3, lines 23 and 24, strike out "sixteen thousand five hundred dollars (\$16,500)", and insert "eighteen thousand five hundred dollars (\$18,500)".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 784 by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Thompson, Way, Weybret, and Williams—22.  
**NOES**—None.

Above bill ordered enrolled.

**President pro Tempore of the Senate Presiding**

At 11 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 380**—An act to amend Section 402b of the Penal Code, relating to refrigerators, ice boxes, and deep freeze lockers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Thompson Presiding**

At 11.05 a.m., Senator John F. Thompson of the Eighteenth District, presiding.

**Senate Resolution No. 99**

Relative to Augmenting the Funds of the Senate Interim Judiciary Committee

*Resolved by the Senate of the State of California*, That in addition to any funds heretofore made available, the sum of one thousand two hundred dollars (\$1,200) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Interim Committee on Judiciary created by Senate Resolution No. 200, 1951 Regular Session and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Ehrhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.

**NOES**—None.

**Senate Bill No. 492**—An act to amend Section 3431 and to repeal Section 3432.1 of the Welfare and Institutions Code, relating to the residence requirements for aid to the partially self-supporting blind residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Ehrhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, O'Gara, Powers, Tenney, Thompson, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 824**—An act to amend the title to Chapter 1 and Sections 50, 51 and 52 of, and to add Sections 53 and 54 to, the Military and Veterans Code and to amend Section 12040 of the Government Code, relating to the military department, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 824:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 30, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Senate Bill No. 824**, "An act to amend the title to Chapter 1 and Sections 50, 51 and 52 of, and to add Sections 53 and 54 to, the Military and Veterans Code and to amend Section 12040 of the Government Code, relating to the military department, declaring the urgency thereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure contains an implied appropriation. The Adjutant General advises me that the organization plan contained in this bill should have early consideration by the Legislature.

I therefore recommend consideration of Senate Bill No. 824 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Ehrhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

**NOES**—None.

**Motion to Amend Title**

Senator Powers moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out the first "and", and insert "of Division 1 of, and to amend".

Amendment read, and adopted.

Senate Bill No. 824 ordered reprinted, and transmitted to the Assembly.

**Senate Bill No. 1228**—An act to add Section 20342.1 to the Education Code, relating to accreditation of teacher education institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1643**—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1679**—An act to add Section 30.6 to the Agricultural Code, relating to the artificial insemination of bovine animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, McBride, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, and Williams—22.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 54**—An act to amend Sections 10112, 10607, and 10617 of the Health and Safety Code, relating to registration of vital statistics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Busch, Byrne, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 623**—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1093**—An act to add Section 194.5 to the Streets and Highways Code, and to add Section 11095.5 to the Revenue and Taxation Code, relating to the allocation of funds to inactive cities.

Bill read third time.

#### Motion to Amend

Senator Desmond moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, following line 17, insert

"SEC. 3. Any funds allocated or accumulated pursuant to the provisions of Section 203 of the Streets and Highways Code, prior to the repeal thereof by Chapter 11, Statutes of 1947, First Extraordinary Session, for expenditure on state highways within the inactive cities described in Section 1 of this act, shall revert to and be expended upon state highways in the county groups within which any such inactive city was located."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 118**—An act to amend Section 444 of the Education Code, relating to compensation of the county superintendent of schools of a county of the forty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1433**—An act to amend Government Code Section 39731 and to add thereto new sections numbered 39731.1 and 39731.2, relating to acquiring, operating, paying the cost of acquiring and operating, and protecting the property and revenues of ferry systems owned by fifth and sixth class cities.

Bill read third time.



The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 53**—Relative to the appointment of William B. Rumford as a member of a team invited to visit certain German cities.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

### MOTION TO ADJOURN IN COMMEMORATION OF SENATOR MONTGOMERY'S SIXTY-FOURTH BIRTHDAY

Senator O'Gara moved that when the Senate adjourns this day, that it does so in commemoration of Senator Montgomery's sixty-fourth birthday.

Motion carried.

### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.55 a.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

### RECESS

At 11.55 a.m., on motion of Senator Powers, the Senate recessed until 1.30 p.m.

### REASSEMBLED

At 1.30 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

### Call of the Senate

Senator Brown moved a call of the Senate.

Motion carried. Time, 1.31 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Cloyd, Burke, and Hawkins as a Committee on Conference concerning:

Senate Bill No. 682—An act to amend Section 3440.1 of the Civil Code, relating to the transfer, sale or assignment of stock in trade, in bulk.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 380

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 118

Senate Bill No. 153

Senate Bill No. 144

Senate Bill No. 155

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 100—An act to amend Sections 29193 and 29194 of the Government Code, relating to district budgets;

Senate Bill No. 249—An act to amend Sections 19153 and 19154 of the Education Code, relating to educational facilities;

Senate Bill No. 314—An act to amend Section 13001.2 of the Education Code, authorizing the employment of persons requiring certification qualifications and the payment of compensation to such person, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 528—An act to amend Sections 461, 464, 464.5, and 4357 of the Agricultural Code, relating to the serving and sale of market milk and to the determination of minimum prices for market milk;

Senate Bill No. 548—An act to add Section 4322 to the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream;

Senate Bill No. 549—An act to add Article 12 to Chapter 17 of Division 6 of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream;

Senate Bill No. 553—An act to add Section 2436 to the Business and Professions Code, relating to the practice of the healing arts;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 658—An act to repeal Chapters 11, 12, and 13 of Division 4, and to add Chapters 15, 16, and 17 to Division 6 of the Agricultural Code, relating to the marketing of agricultural products;

Senate Bill No. 677—An act to add Section 380.5 to the Code of Civil Procedure, relating to the dismissal of a mere stakeholder on affidavit and deposit;

Senate Bill No. 679—An act to amend Section 1600 of the Probate Code, relating to requests for special notice of the disposition of property held by a guardian;

Senate Bill No. 685—An act to amend Section 1263 of the Civil Code, relating to contents of declaration of homestead;

Senate Bill No. 724—An act to add Sections 2300.46 and 2600.6 to the Health and Safety Code, relating to the control of tuberculosis and communicable disease;

**Senate Bill No. 746**—An act to amend Section 429.5 of the Fish and Game Code, relating to fishing by persons in the armed forces of the United States;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 880**—An act to amend Section 17026 of the Business and Professions Code, relating to definition of cost in the Unfair Practices Act;

**Senate Bill No. 881**—An act to amend Section 17044 of the Business and Professions Code, relating to "loss leaders" in the Unfair Practices Act;

**Senate Bill No. 1295**—An act to repeal Chapter 388 of the Statutes of 1933, relating to horticultural development districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 15**—Relative to amending the Joint Rules of the Senate and Assembly for the 1953 Regular Session of the California Legislature, by adding Rule 41 thereto, relating to industrial injury reports;

**Senate Concurrent Resolution No. 48**—Relative to administration of the Unemployment Insurance Act;

**Senate Joint Resolution No. 17**—Relative to motor vehicle fuel taxes collected by the Federal Government;

**Senate Joint Resolution No. 26**—Relative to submerged lands;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the tenth day of April, 1953, at 10 a.m.

POWERS, Chairman

#### Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

**Senate Bill No. 1322**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

**Senate Bill No. 1698**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

**Senate Bill No. 128**

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 13; committee vote: Ayes 9; noes 2; absent 2.

WEYBRET, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 302

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

WEYBRET, Chairman

Above reported bill ordered to second reading.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 731

Senator Dilworth moved that Senate Bill No. 731 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 731**—An act to repeal and add Article 1 of Chapter 2 of Division 3 of, and Chapter 15 of Division 3 of; to repeal Article 4 of Chapter 16 of Division 3 of; and to add Article 1 to Chapter 2 of Division 3 of, and Chapter 15 to Division 3 of, the Education Code, all relating to the Public School System.

Bill read second time.

#### Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "and add Article 1 of Chapter 2 of Division 3"; and strike out all of lines 2, 3, and 4, and insert "repeal Chapters 2 and 15 and Articles 1 and 4 of Chapter 16 of Division 3 of, to add Chapters 2 and 15, and Article 1 to Chapter 16, of Division 3 of, to amend Sections 8007, 8008, of, to repeal Sections 9645, 9617, 9809 of, and to add Sections 9645, 9617, 9809, and 9809.1 to, the Edu-".

#### Amendment No. 2

In line 5 of the title before the period, insert ", declaring the urgency thereof, to take effect immediately".

#### Amendment No. 3

On page 1, strike out lines 1 to 24; strike out all of pages 2 to 28, inclusive, and insert

"SECTION 1. Chapter 2 of Division 3 of the Education Code is repealed.

SEC. 2. Chapter 2 is added to Division 3 of said code, to read:

#### CHAPTER 2. STATE SCHOOL FUND

#### Article 1. Sources

5151. The assent of the State is given to the provisions in the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas and sodium on the public domain," and approved by the President, February 25, 1920.

All money derived from bonuses, royalties, and rentals under the act of Congress referred to in this section and apportioned under the act to the State, shall be received by the State Treasurer and by him credited to the State School Fund.

5152. The Superintendent of Public Instruction shall report to the Controller, on or before the tenth day of September of each year, the total average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds.

5153. The State Controller shall during each fiscal year transfer from the General Fund of the State to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount not less than one hundred eighty dollars (\$180) per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds, as certified by the Superintendent of Public Instruction. He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Section 5154 and such



additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in this chapter and in Chapter 15 of this division.

5154. The amount appropriated in Section 5153 shall be expended in accordance with the following schedule:

(a) Ninety-four cents (\$.94) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (a) of Section 7001.

(b) Four dollars (\$4) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (b) of Section 7001.

(c) Three dollars twenty cents (\$3.20) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 3, Chapter 15, of this division, except Section 7018.1.

(d) Thirty seven cents (\$.37) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 7018.1.

(e) Two dollars twenty five cents (\$2.25) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 12, Chapter 15 of this division.

(f) One dollar (\$1) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 13, Chapter 15 of this division.

(g) One cent (\$.01) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 14, Chapter 15, of this division.

(h) Twelve dollars (\$12) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 15, Chapter 15, of this division.

(i) One hundred forty eight dollars and nine cents (\$148.09) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, and elementary schools in the State and county school tuition funds on account of elementary school pupils, plus the difference between eight dollars and fourteen cents (\$.84) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the State and to county school tuition funds and one dollar and sixty cents (\$1.60) multiplied by the average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils, for basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the State and county school tuition funds on account of elementary school pupils.

(j) One hundred forty-nine dollars sixty-nine cents (\$149.69) multiplied by the average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils for basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all high schools in the State and county school tuition funds on account of high school pupils.

(k) One hundred forty-eight dollars nine cents (\$148.09) multiplied by the average daily attendance during the preceding fiscal year credited to all junior college schools in the State for basic and equalization aid to be apportioned on account of average daily attendance during the preceding year credited to all junior college schools in the State.

5155. If any amount is appropriated by the Legislature in augmentation of any of the purposes set forth in the schedule in Section 5154, the amounts allowed for such purpose to districts and funds under Chapter 15 of this division shall not exceed the amount computed under the formula or provisions of Chapter 15 for such purpose. If the amount in the schedule plus the amount appropriated in augmentation exceeds the total of the amounts so computed for such purpose for all districts and funds, the excess shall be allowed pursuant to Sections 7118 and 7119, as the case may be, for purposes specified in subdivisions (a), (b), (c), (d), (e), (f), (g), and (h) of Section 5154, or pursuant to Sections 7112, 7113, and 7114, as the case may be, for the purposes specified in subdivisions (i), (j) and (k) of Section 5154, whichever section or sections are applicable.

**Article 2. Reports and Disbursements**

5201. The Controller shall keep a separate account of the State School Fund, and of the interest and income thereof, together with such money as is raised by special tax or otherwise for school purposes.

5202. (a) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in the months of September, October, November, December, January, February, March, April, May, and June of each year in such amounts as to provide in each warrant one-tenth of the total amount certified by the Superintendent of Public Instruction as apportioned under Sections 7121 and 7122 of this code, subject to the provisions of Sections 7121.1 and 7121.2, during the fiscal year from the State School Fund to the school districts under the jurisdiction of the county superintendent of schools of the county, to the county school service fund, and to the county school tuition fund of the county; provided, however, that apportionments under Section 7122 for transportation and the excess cost of educating physically handicapped minors, mentally retarded minors, and severely mentally retarded minors which have not been certified to the Controller for September, October, and November, and the apportionments under subdivision (a) of Section 7121.2 shall be included in the warrants drawn by the Controller in the month following receipt of the certification by the Superintendent of Public Instruction.

(b) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in the month of February of each year in the total amount as certified by the Superintendent of Public Instruction as apportioned under subdivision (a) of Section 7123, and in the month of June the total amounts as certified by the Superintendent of Public Instruction as apportioned under subdivision (b) of Section 7121.2, subdivision (b) of Section 7123 and Section 7124.

(c) The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the State Treasurer from the State School Fund and are not subject to the provisions of Government Code Section 16003.

5203. All moneys received by the treasurer of any county from the apportionments of the State School Fund shall be immediately credited by the treasurer to the county school service fund, the county school tuition fund, and the general funds of the several school districts of the county exactly as apportioned by the Superintendent of Public Instruction.

SEC. 3. Chapter 15 of Division 3 of said code is repealed.

SEC. 4. Chapter 15 is added to Division 3 of said code, to read:

**CHAPTER 15. ALLOWANCES AND APPORTIONMENTS FROM THE STATE SCHOOL FUND****Article 1. General Provisions**

7000. For the purposes of Articles 4, 7, 8, 9, 10, 11, 16, and 17, of this chapter:

(a) Each elementary school district shall be deemed to comprise the kindergarten and grades one to eight, inclusive, maintained by the district, and the seventh and eighth grades of the district not maintained by the district because of the attendance upon a junior high school of pupils who would otherwise attend upon seventh and eighth grades maintained by the district.

(b) Each high school district shall be deemed to comprise all of grades nine to twelve, inclusive, maintained within the high school district whether maintained by a high school district or by a junior college district.

(c) Each junior college district shall be deemed to comprise the 13th and 14th grades maintained by the district.

(d) Each high school district maintaining grades 13 and 14 shall be deemed to be a junior college district comprising grades 13 and 14.

(e) Each unified school district shall be deemed to be an elementary school district comprising the kindergartens and grades one to eight, inclusive, maintained by the district and the seventh and eighth grades of the district not maintained by the district in elementary schools because of the attendance upon a junior high school of pupils who would otherwise attend the seventh and eighth grades maintained in elementary schools by the district, and a high school district comprising all of grades nine to 12, inclusive, and a junior college district comprising the 13th and 14th grades maintained by the district.

7000.1. Whenever in any section of this chapter any computation is required to be made which is based in whole or in part on the assessed valuation of a school district as shown by the equalized assessment roll of the district for the preceding year or preceding fiscal year, there shall be substituted for such assessed valuation, as to such computation, a sum determined by adding to such assessed valuation an amount which would, if the current tax rate, as defined in Section 7000.2, of such district were levied on such added amount, produce or will produce 40 percent of the equivalent of all federal funds as federal funds are defined in subdivision (a) of Section 7000.3, 55 percent of the equivalent of all federal funds as federal funds are defined in subdivision (b) of Section 7000.3 and 75 percent of the equivalent of all miscellaneous funds as miscellaneous funds are defined in Section 7000.4, received or to be received by such district for the fiscal year for which such added amount was determined.

Should the amount of federal funds as defined in Section 7000.3 actually received by a school district for any fiscal year be more or less than that reported for such district by the United States Commissioner of Education to the Superintendent of Public Instruction, the Superintendent of Public Instruction shall during the fiscal year next succeeding that in which the district has received all of the federal funds actually paid the district for the first mentioned fiscal year, withhold from, or add to, the apportionment made to the district from the State School Fund the amount of the excess or deficiency, as the case may be.

7000.2. "Current tax rate" as used in Section 7000.1 shall mean the total of the rates of school district taxes levied for any school district and rates of municipal taxes levied for school purposes of such district in the fiscal year for which such added amount of assessed valuation is determined on each one hundred dollars (\$100) of assessed valuation within the district or municipality, as the case may be, other than rates of tax levied under Sections 4063.2, 5063, 6357.2, 7516, 7736 and 19613.6.

7000.3. "Federal funds" as used in Section 7000.1 means:

(a) The total amount the United States Commissioner of Education has determined and reported to the Superintendent of Public Instruction that the district is entitled to for the Fiscal Year 1951-52 under Section 3 of the act of Congress entitled "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874—Eighty-first Congress), except subsections (c) and (g) of said Section 3, and exclusive of increases in local contribution rates made because of unusual geographic factors, and that the district is entitled to for a fiscal year under subsection (c) of Section 5 of said act, or under any similar provisions of any other act of Congress. The Legislature finds that money received or for which an application has been made under subsection 3(e) of an act of Congress entitled "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874—Eighty-first Congress) during the 1951-52 Fiscal Year has not been included in any computation made under this chapter for the Fiscal Year 1952-53, and hereby declares that it is not the intention of the Legislature that money received pursuant to subsection 3(e) of said act shall be included in any such computation made during the 1953-54 Fiscal Year, or any fiscal year thereafter.

(b) For the Fiscal Year 1952-53 and for each subsequent fiscal year the amount the United States Commissioner of Education has determined and reported to the Superintendent of Public Instruction that the district has received or will receive for a fiscal year under Section 3, exclusive of increases in local contribution rates made because of unusual geographic factors, and under subsection (c) of Section 5 of the act of Congress entitled "An act to provide financial assistance for local educational agencies in areas affected by federal activities, and for other purposes," approved September 30, 1950 (Public Law 874—Eighty-first Congress), or under any similar provisions of any other act of Congress.

7000.4. "Miscellaneous funds" as used in Section 7000.1 means for the Fiscal Year 1952-53 and for each subsequent fiscal year the amount the county superintendent of schools has determined and reported to the Superintendent of Public Instruction in accordance with regulations the Superintendent of Public Instruction is hereby authorized to adopt that the district has received and which has been deposited to the credit of the general fund of the district for a fiscal year on account of in lieu taxes or income from bonuses, royalties, rentals or any other income from district property or property within the district or State not being assessed for tax purposes and not being used for school purposes. Federal Forest Reserve funds received by a district prior to July 1, 1953, shall not be considered miscellaneous funds as defined by this section.

#### Article 2. Computation of Allowances to County School Service Funds for Supervision of Instruction and Budget Purposes

7001. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amounts as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction in all grades and classes of elementary school districts shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes, including additional supervision of instruction in grades and classes of elementary districts and supervision of instruction in grades and classes of high school districts or junior college districts, shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, whichever is the lesser.

7002. The county superintendent of schools shall on or before July 15th of each fiscal year submit to the Superintendent of Public Instruction a budget for the current



fiscal year, in such form as the Superintendent of Public Instruction shall prescribe, setting forth all known and estimated revenues of the county school service fund for the current fiscal year from all sources, and the proposed expenditures from the county school service fund for the current fiscal year. The budget shall be subject to the approval of the Superintendent of Public Instruction.

Upon the approval of the budget by the Superintendent of Public Instruction, he shall note his approval thereon and transmit one copy thereof to the county superintendent of schools and one copy to the county auditor of the county.

7003. The budget submitted pursuant to Section 7002 shall include an amount of two thousand four hundred dollars (\$2,400) to be used exclusively for the partial payment of the annual salary of the county superintendent of schools. Such amount shall be paid for such purpose from the allowance made to the county school service fund pursuant to Section 7001.

### Article 3. Computation of Allowances to School Districts and County School Service Funds for Transportation

7011. The Superintendent of Public Instruction shall not allow under this article, except under Section 7018.1, during any fiscal year a total amount in excess of the amount provided by law.

7011.1. The Superintendent of Public Instruction shall allow to each school district and county school service fund such amount as is required by this article.

7012. (a) "Transportation" as used in this article means, unless the context otherwise requires:

(1) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(2) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(3) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(b) "Pupils" as used in this article does not include pupils for whom the Superintendent of Public Instruction determines excess costs under Section 9617.

(c) "Total current expenses of transportation" as used in Sections 7014, 7015, and 7016 does not include current expenses for the transportation of pupils for whose transportation the Superintendent of Public Instruction makes an allowance to the district under Section 7018.1.

7013. The Superintendent of Public Instruction shall make all allowances under this article during a fiscal year in accordance with regulations, not in conflict with this article, adopted by him, and he is hereby authorized and directed to adopt such regulations. None of such regulations shall be binding upon any school district, but no allowance shall be made under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item.

The regulations adopted by the Superintendent of Public Instruction hereunder shall, among other matters:

(a) Prescribe the records to be kept by, and reports to be made by, school districts.

(b) Fix the minimum distances for the sole purpose of determining the total current expenses of a district for transportation.

(c) Determine what expenditures constitute "current expenses."

(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017.

(e) Provide for the review and approval of all expenditures upon which allowances are computed.

(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses.

7014. (a) He shall allow to each elementary school district, high school district, and junior college district, except as to any to which subsections (b), (c) and (d) of this section or Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than two cents (\$.02) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than eight cents (\$.08) of the computed tax rate less two cents (\$.02) and (2) 100



percent of the amount which would be produced by the computed tax rate in excess of eight cents (\$0.08).

(b) He shall allow to each high school district maintaining a junior college, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$0.03) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than twelve cents (\$0.12) of the computed tax rate less three cents (\$0.03) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$0.12).

(c) He shall allow to each elementary school district which is not a part of a high school district which during the preceding fiscal year provided for the transportation of pupils to the elementary schools of the district and to high schools in other districts an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$0.04) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than sixteen cents (\$0.16) of the computed tax rate less four cents (\$0.04) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$0.16).

If an elementary district which is not a part of a high school district provides only for the transportation of pupils to a high school, an amount shall be computed as provided in subdivision (a) of this section.

(d) He shall allow to each high school district not a part of any junior college district which during the preceding fiscal year provided for the transportation of pupils to the high schools of the district and pupils attending junior colleges maintained by other districts an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$0.04) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than sixteen cents (\$0.16) of the computed tax rate less four cents (\$0.04) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$0.16).

If a high school district which is not a part of a junior college district provides only for the transportation of pupils to a junior college, an amount shall be computed as provided in subdivision (a) of this section.

7015. (a) He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2 of this code, the formation of which became effective on July 1, 1948, or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses or the reorganization of attendance centers within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of subsection (b) or (c) of this section shall control as to such district.

(b) He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$0.03) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than twelve cents (\$0.12) of the computed tax rate less three cents (\$0.03) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$0.12).

(c) He shall allow to each unified school district maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$.04) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than sixteen cents (\$.16) of the computed tax rate less four cents (\$.04) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$.16).

7016. He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year.

(a) He shall, if such group comprises an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or comprises an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, or comprises a high school district and a junior college district and each district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which has the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents (\$.03) he shall allow the district (1) 50 percent of the amount which would be produced by not more than twelve cents (\$.12) of the computed tax rate less three cents (\$.03) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents (\$.12).

(b) He shall, if such group comprises an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or comprises an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars (\$100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which had the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents (\$.04) he shall allow to the district (1) 50 percent of the amount which would be produced by not more than sixteen cents (\$.16) of the computed tax rate less four cents (\$.04) and (2) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents (\$.16).

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the groups certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017. In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948, or thereafter, there shall be included in addition to the current expenses of transportation of the district the cost of such school busses for the first five fiscal years in which it purchases school busses as are determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools or the reorganization of attendance centers within the district. This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018. The Superintendent of Public Instruction in approving, under this article, current expenses of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party.

7018.1. (a) The Superintendent of Public Instruction shall not allow under this section during any fiscal year a total amount in excess of the amount provided by law.

(b) In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount

equal to the current expense of the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars (\$350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

(c) The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the current expense of the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars (\$350) for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools.

(d) If the total amount which may be allowed under subdivision (a) during any fiscal year is less than the total allowances computed under subdivisions (b) and (c), the amounts allowed shall be reduced proportionately.

(e) If the total amount which may be allowed under subdivision (a) during any fiscal year is more than the total allowances computed under subdivisions (b) and (c), the balance shall be apportioned pursuant to Section 7118.

7019. (a) In the event that the total amount which may be allowed under Section 7011 during any fiscal year is less than the total allowances computed under Sections 7014, 7015, 7016, and 7017, the amount allowed shall be successively recomputed by adding one tenth of one cent (\$.0001) to the lower tax rates provided for in Sections 7014, 7015, and 7016, respectively, until there is no deficit. Any balance remaining shall be allowed pursuant to Section 7119.

(b) In the event the total amount which may be allowed under Section 7011 during any fiscal year is more than the total allowances computed under Sections 7014, 7015, 7016, and 7017, the balance shall be allowed pursuant to Section 7119.

#### Article 4. Computation of Foundation Program for School Districts

7031. The Superintendent of Public Instruction shall compute for each school district the amount of a foundation program of school support therefor, in the manner prescribed by this article.

7031.1. With respect to any unified school district which became effective for all purposes between July 1, 1950, and July 1, 1952, inclusive, the foundation program for such district as computed under this article shall be increased five dollars (\$5) for each unit of average daily attendance in each of the first five fiscal years of its existence for all purposes.

7031.2. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes on or after July 1, 1953, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of less than ten thousand (10,000), the foundation program for such district computed under this article shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence.

7031.3. With respect to any unified district formed under Chapter 16 of Division 2 of this code, which became effective for all purposes on or after July 1, 1953, and which during the year preceding the effective date for all purposes had, in all the districts which were formed into the unified district, an average daily attendance of more than ten thousand (10,000) and in which there was not on July 1, 1952, or thereafter a single chief administrative officer and staff that administered the program of education for all the secondary schools and those elementary schools of the district to which were credited 50 percent or more of the average daily attendance during the year preceding the effective date for all purposes in all the districts formed into the unified district, the foundation program for such district computed under this article shall be increased by 5 percent for the first fiscal year, 4 percent for the second fiscal year, 3 percent for the third fiscal year, 2 percent for the fourth fiscal year, and 1 percent for the fifth fiscal year of its existence.

7032. (a) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute five thousand three hundred dollars (\$5,300).

(b) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days school was maintained, he shall compute ten thousand six hundred dollars (\$10,600).

(c) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth



grades of a junior high school, and for which school at least three teachers were hired full time for more than one-half of the days school was maintained, he shall compute fifteen thousand nine hundred dollars (\$15,900).

(d) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 76 or more but less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least four teachers were hired full time for more than one-half of the days school was maintained, he shall compute twenty-one thousand two hundred dollars (\$21,200).

7032.1. For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 101 or more, exclusive of pupils attending the seventh and eighth grades of a junior high school, he shall compute an amount determined by multiplying the total average daily attendance by two hundred twelve dollars (\$212).

7033. For the purposes of Section 7034, a "necessary small school" is an elementary school with an average daily attendance of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year maintained by an elementary school district which maintained two or more schools and to which school any of the following conditions apply:

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(c) If the Superintendent of Public Instruction grants a request made pursuant to this subdivision. If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified in (a) or (b) were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

7034. For each district on account of each necessary small school, he shall make one of the following computations, whichever applies:

(a) For each necessary small school which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the district five thousand three hundred dollars (\$5,300).

(b) For each necessary small school which had an average daily attendance during the preceding fiscal year of 26 or more but less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ten thousand six hundred dollars (\$10,600).

(c) For each necessary small school which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district fifteen thousand nine hundred dollars (\$15,900).

(d) For each necessary small school which had an average daily attendance during the preceding fiscal year of 76 or more but less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district twenty-one thousand two hundred dollars (\$21,200).

7035. In the event an elementary school district maintains two or more schools none of which are necessary small schools as defined by Sections 7033 and the total average daily attendance in the district for the preceding fiscal year was less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school,



he shall compute an amount for the district using such total average daily attendance in accordance with the provisions of Section 7032.

7035.1. For each elementary school district on account of the attendance during the preceding fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 6944 and 8763, he shall multiply the average daily attendance in such grades by two hundred twelve dollars (\$212).

7036. For each elementary school district maintaining two or more schools, except those to which Section 7035 applies, he shall compute an amount determined by multiplying the total average daily attendance of the district during the preceding fiscal year, exclusive of the average daily attendance for which a computation was made pursuant to Sections 7034 or 7035.1, by two hundred twelve dollars (\$212).

7036.1. The foundation program for each elementary school district maintaining two or more schools shall be the total of the amounts computed for the district pursuant to Sections 7034, 7035, 7035.1, and 7036.

7037. For each high school district which had an average daily attendance during the preceding fiscal year of less than 301, he shall compute, except as otherwise provided, thirteen thousand one hundred dollars (\$13,100) and in addition five hundred five dollars (\$505) for each of the first to eightieth units, inclusive, and one hundred twenty five dollars (\$125) for each of the eighty-first to the three hundredth units, inclusive.

7037.1. For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school for which the governing board of the district has provided separate facilities and a separate administrative head and having an average daily attendance during the preceding fiscal year of less than 301 the amount which would otherwise be computed for the district under Section 7037 except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the average daily attendance of such high school by two hundred seventy dollars (\$270) or the following percentage of the amount computed under Section 7037, whichever amount is the larger:

- (a) Fifty-five percent if the high school maintains but one year,
- (b) Sixty-five percent if the high school maintains but two years, or
- (c) Eighty percent if the high school maintains but three years.

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction.

7037.2. For each high school district which had an average daily attendance during the preceding fiscal year of 301 or more he shall multiply the average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of less than 301, by two hundred seventy dollars (\$270).

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades thirteen and fourteen computed for the district under Sections 6961 and 6971, subject to the provisions of Section 7149, by three hundred twenty-six dollars (\$326).

7039. Effective July 1, 1954, and thereafter, each computation required by this article for high school and junior college districts shall be made after excluding from the average daily attendance of the district for the preceding fiscal year the average daily attendance in classes for adults for the preceding fiscal year.

#### Article 5. Computation of Allowances to County School Service Funds for Direct Educational Services

7041. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

(a) For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter, except that the provisions of Sections 7033 or 7036.5 shall not apply.

(b) Two hundred seventy dollars (\$270) for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

7042. The Superintendent of Public Instruction shall allow to the county school service fund for all special schools or classes for mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter, except that the provisions of Section 7033 shall not apply.

7043. The Superintendent of Public Instruction shall allow to the county school service fund for all elementary schools maintained in juvenile halls, juvenile homes, and juvenile camps by the county superintendent of schools, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter, except that the provisions of Section 7033 shall not apply.

7044. The Superintendent of Public Instruction shall allow to the county school service fund for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps for the county superintendent of schools, an amount computed by multiplying the average daily attendance in such secondary schools during the preceding fiscal year by two hundred seventy dollars (\$270).

#### Article 6. Computation of Allowances to County School Tuition Funds

7046. The Superintendent of Public Instruction shall allow to each county school tuition fund one hundred twenty dollars (\$120) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

#### Article 7. Computation of Allowances of Basic State Aid for Elementary School Districts

7051. The Superintendent of Public Instruction shall allow one hundred twenty dollars (\$120) to each elementary school district for each unit of average daily attendance therein during the preceding fiscal year as computed for the district under Sections 6911 and 6944, but not less than two thousand four hundred dollars (\$2,400) shall be allowed to any elementary school district, to be known as basic state aid.

#### Article 8. Computation of Allowances of Basic State Aid for High School Districts

7057. (a) The Superintendent of Public Instruction shall allow to each high school district one hundred twenty dollars (\$120) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6962, and 6971, subject to the provisions of Section 7148, but not less than two thousand four hundred dollars (\$2,400) shall be allowed to any high school district, to be known as basic state aid.

(b) Effective July 1, 1954, and thereafter, the Superintendent of Public Instruction shall exclude from the computation of allowances provided by subdivision (a) of this section the average daily attendance during the preceding fiscal year in classes for adults computed under Section 6971.

#### Article 9. Computation of Allowances of Basic State Aid for Junior College Districts

7075. (a) The Superintendent of Public Instruction shall allow to each junior college district one hundred twenty dollars (\$120) for each unit of average daily attendance in grades 12 and 14, during the preceding fiscal year as computed for the district under Sections 6964 and 6971, subject to the provisions of Section 7149, but not less than two thousand four hundred dollars (\$2,400) shall be allowed to any junior college district, to be known as basic state aid.

(b) Effective July 1, 1954, and thereafter, the Superintendent of Public Instruction shall exclude from the computation of allowances provided by subdivision (a) of this section the average daily attendance during the preceding fiscal year in classes for adults computed under Section 6971.

#### Article 10. Computation of District Aid

7081. The Superintendent of Public Instruction shall compute for each district described hereby the amount, to be known as district aid, which a tax levied on each one hundred dollars (\$100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

- (a) Sixty cents (\$0.60) in an elementary school district.
- (b) Forty-five cents (\$0.45) in a high school district.
- (c) Thirty cents (\$0.30) in a junior college district.

#### Article 11. Computation of Allowances of State Equalization Aid for School Districts

7091. The Superintendent of Public Instruction shall compare the total of the amounts allowed to and computed for each elementary district pursuant to Articles 7 and 10 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any elementary school district pursuant to Articles 7 and 10 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount computed for such district pursuant to Articles 7 and 10 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any elementary school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by two hundred thirty-two dollars (\$232) and had the tax used in making the computation for the district under Article 10 of this chapter been eighty cents (\$0.80).

7091.1. Notwithstanding anything in this chapter to the contrary the amount allowed under this article to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more beginning with the Fiscal Year 1955-56, than the amount that would have been computed under Section 7091 had the foundation program for the district been computed under Section 7032.1, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 7091 and the amount that would have been computed for the district under Section 7091 had the foundation program for the district been computed under Section 7032.1 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

7092. The Superintendent of Public Instruction shall compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 8 and 10 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any high school district pursuant to Articles 8 and 10 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Article 8 and 10 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6962, and 6971 by three hundred twenty-five dollars (\$325) and had the tax used in making the computation for the district under Article 10 of this chapter been seventy-five cents (\$.75).

7092.1. Notwithstanding anything in this chapter to the contrary the amount allowed under this article to a high school district shall not be more beginning with the Fiscal Year 1955-56 than the amount that would be computed under Section 7092 had the foundation program for the district been computed by multiplying the total average daily attendance, excluding the average daily attendance in classes for adults during the preceding fiscal year by two hundred seventy dollars (\$270), except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the four subsequent fiscal years, of the difference between the allowance computed for the district under Section 7092 and the amount that would have been computed for the district by multiplying the average daily attendance of the district, excluding the average daily attendance in classes for adults, during the preceding fiscal year by two hundred seventy dollars (\$270), except as to any high school maintained by a high school district determined to be a necessary school by the existence of one or more of the following conditions:

(a) If as many as five pupils residing in the district and attending grades nine to twelve, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending grades nine to twelve, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or



(c) If as many as 40 pupils residing in the district and attending grades nine to twelve inclusive, it shall be required to travel more than 15 miles one way from a point on a well traveled road nearest their home to the nearest other public high school.

If tabulated on other conditions, first as a district which would impose unusual burdens on the number of miles specified were required to be traversed or if during the fiscal year the miles would be traversed have been impossible for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

7004. The Superintendent of Public Instruction shall compute the total of the amounts allowed to and received for each county average district pursuant to Articles 9 and 10 of this chapter with the amount of the foundation program of school support computed for each district pursuant to Article 4 of this chapter.

If the total amount computed for any district pursuant to Articles 9 and 10 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount computed for such district pursuant to Articles 9 and 10 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

7004. No state equalization aid shall be allowed to any district under this article during the fiscal year 1953-54 unless, during the preceding fiscal year, there shall have been levied a tax for each district in an amount equal to forty-two cents (\$.42) or more for an elementary district, forty cents (\$.40) or more for a high school district, or twenty-two cents (\$.22) or more for a junior college district.

7005. No state equalization aid shall be allowed under this article during the fiscal year 1954-55, or during any other subsequent fiscal year unless there shall have been levied pursuant to this code for such district during the preceding fiscal year, exclusive of tax levied under Sections 49612, 50031, 50772, 7516, 7706, 14726, 14775, and 19615, a tax not less than sixty cents (\$.60) if an elementary district, forty-five cents (\$.45) if a high school district, and thirty cents (\$.30) if a junior college district.

7006. Notwithstanding anything to the contrary in the contrary of under Section 6907, average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as basic state aid and state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district the amount of such average daily attendance shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of basic state aid and state equalization aid which would have been apportioned to the original school district during said fiscal year had it not been taken in effect by the average daily attendance of the original school district for the preceding fiscal year over to the acquiring district of any of such average daily attendance to the acquiring school district. He shall allow to the original school district its basic state aid and state equalization aid the amount computed by multiplying the resulting quotient by the ratio of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as basic state aid and state equalization aid the amount computed by multiplying the same quotient by the ratio of average daily attendance credited to the district under Section 6907.

#### Article 11.1. Computation of Allowances for Classes for Adults

7007. Effective July 1, 1954, and thereafter, the Superintendent of Public Instruction shall compute for each unit of average daily attendance during the preceding fiscal year in classes for adults computed under Section 8705, exclusive of average daily attendance in classes for adults pursuant to Section 8705, and rounded twenty dollars (\$120) as basic state aid and the same amount as state equalization aid as computed by dividing the amount computed for the district under Article 11 of this chapter by the average daily attendance of the district during the preceding fiscal year, exclusive of average daily attendance during the preceding fiscal year in classes for adults.

The total of basic and equalization aid allowed shall not exceed two hundred seventy dollars (\$270) for each unit of average daily attendance during the preceding fiscal year in classes for adults, exclusive of average daily attendance in classes for adults pursuant to Section 8705.

7008. Effective July 1, 1954, and thereafter, the Superintendent of Public Instruction shall allow each district maintaining classes for adults in any state prison including the Deuel Vocational Institution, the California Institution for Women and the Menard Penitentiary, prison camp, or prison farm or in any county, city and county, or city jail, road camp, or farm the total expenses for such classes, as such total expense is



reported to him in accordance with regulations that he is herewith authorized to adopt, not to exceed the amount expended for salaries of teachers in such classes increased by one-fourth.

Salaries of such teachers for purposes of this section shall not exceed the salaries as set by the governing board for teachers in other classes for adults maintained by the district. The total amount allowed shall not be less than one hundred twenty dollars (\$120) for each unit of average daily attendance during the preceding fiscal year in such classes for adults.

#### Article 12. Computation of Allowances for Excess Expense for Physically Handicapped Minors

7101. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of the amount provided by law.

7101.1. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess current expense of education to such district of educating physically handicapped minor pupils but not in excess of four hundred dollars (\$400) for each unit of average daily attendance of physically handicapped minor pupils in the district during the next preceding fiscal year.

7101.2. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the excess current expense of education to the county superintendent of schools of educating physically handicapped minor pupils but not in excess of four hundred dollars (\$400) for each unit of average daily attendance of physically handicapped minor pupils educated by the county superintendent of schools during the preceding fiscal year.

7101.3. If the total amount which may be allowed under Section 7101 during any fiscal year is less than the total allowances computed under Sections 7101.1 and 7101.2, the amounts allowed shall be reduced proportionately.

7101.4. If the total amount which may be allowed under Section 7101 during any fiscal year is more than the total allowances computed under Sections 7101.1 and 7101.2, the balance shall be allowed pursuant to Section 7118.

#### Article 13. Computation of Allowances for Excess Expense for Mentally Retarded Minors

7102. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of the amount provided by law.

7102.1. The Superintendent of Public Instruction shall allow to each school district an amount equal to 75 percent of the excess current expense of education, including transportation, to the school district, of educating mentally retarded minors who come within the provisions of Section 9801.4 during the preceding fiscal year in special schools or classes but not in excess of one hundred fifty dollars (\$150) per unit of average daily attendance of such minors.

7102.2. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to 75 percent of the excess current expense of education, including transportation, to the county superintendent of schools of educating mentally retarded minors coming within the provisions of Section 9801.1 during the preceding fiscal year in special schools or classes but not in excess of one hundred fifty dollars (\$150) per unit of average daily attendance of such minors.

7102.3. If the total amount which may be allowed under Section 7102 during any fiscal year is less than the total allowances computed under Sections 7102.1 and 7102.2 the amounts allowed shall be reduced proportionately.

7102.4. If the total amount which may be allowed under Section 7102 during any fiscal year is more than the total allowances computed under Sections 7102.1 and 7102.2 the balance shall be allowed pursuant to Section 7118.

7102.5. No allowance shall be made under this article for the education of mentally retarded minors in special schools or classes which do not comply with the standards established by the Department of Education.

#### Article 14. Computation of Allowances for Excess Expense for Severely Mentally Retarded Minors

7103. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of the amount provided by law.

7103.1. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess current expense of education to the district, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars (\$200) per unit of average daily attendance of such minors.

7103.2. The Superintendent of Public Instruction shall allow to each county school service fund an amount equal to the excess current expense of education to the county superintendent of schools, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars (\$200) per unit of average daily attendance of such minors.

7103.3. If the total amount which may be allowed under Section 7103 during any fiscal year is less than the total allowances computed under Sections 7103.1 and 7103.2 the amounts allowed shall be reduced proportionately.

7103.4. If the total amount which may be allowed under Section 7103 during any fiscal year is more than the total allowances computed under Sections 7103.1 and 7103.2 the balance shall be allowed pursuant to Section 7118.

7103.5. No allowance shall be made under this article for the education of mentally retarded minors in special schools or classes which do not comply with the standards established by the Department of Education.

#### Article 15. Computation of Allowances for Growth

7109. (a) The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of the amount provided by law.

(b) The total amount allowed to all districts for the first period shall not exceed 40 percent of the amount computed under subdivision (a) of this section.

(c) The total amount allowed to all districts for the second period shall not exceed the difference between the amount computed under subdivision (a) of this section and the total amount allowed for the first period under this article.

7109.1. The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year, as herein provided, the average daily attendance in the regular day schools of the district for all full school months in the fiscal year during (1) the period between July 1st and December 31st, inclusive, hereinafter referred to as the "first period," (2) the period between the end of the last full school month of the first period and May 15th, inclusive, hereinafter referred to as the "second period," and (3) for each of the same periods during the preceding fiscal year. Such report with respect to the first period shall be filed with the Superintendent of Public Instruction on or before the next succeeding January 15th and with respect to the second period shall be filed with the Superintendent of Public Instruction not later than the next succeeding May 25th. Each report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction.

7109.2. The Superintendent of Public Instruction shall allow, for each period referred to in Section 7109.1, to each school district which was in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the computation of a day of attendance shall be determined according to the law in effect during said preceding fiscal year.

The Superintendent of Public Instruction shall allow to each school district for each unit by which the average daily attendance for the first period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the current fiscal year as basic state aid and state equalization aid by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

The Superintendent of Public Instruction shall allow to each school district for each unit by which the average daily attendance for the second period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the current fiscal year as basic state aid and state equalization aid, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

7109.21. Notwithstanding any provisions of this article to the contrary, allowances for growth for elementary school districts maintaining only one elementary school with a total average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall be computed pursuant to this section.

The provisions of subdivisions (a), (b), (c), and (d) of Section 7032 for average daily attendance and number of teachers hired shall apply to such districts.

No allowance for growth shall be made for such a district unless the excess units of average daily attendance for the period of the current fiscal year over units of average daily attendance of the corresponding period of the preceding fiscal year is sufficient to place the district within the requirements of a different subdivision of Section 7032, or is sufficient to place the district outside of the requirements of any of the subdivisions of Section 7032.

If the excess is sufficient to place the district within the requirements of a different subdivision of Section 7032 an apportionment for growth shall be made only if there has been employed for the school during the period of the current fiscal year the number of teachers required by the subdivision of Section 7032 which is applicable to the district according to its average daily attendance during the period of the current fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school.

The Superintendent of Public Instruction shall allow, for each period for each district which was in existence for all purposes during the preceding fiscal year an amount equal to the difference between the amount of basic state aid and state equalization aid which was apportioned on account of average daily attendance in such district during the preceding fiscal year and the amount of basic state aid and state equalization aid which would have been apportioned had the total average daily attendance in such district during such year been equal to the total average daily attendance during the period of the current year, multiplied for the first period by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175, and for the second period by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

If the excess is sufficient to place the district outside of the requirements of any of the subdivisions of Section 7032, the Superintendent of Public Instruction shall deem the average daily attendance of the district during the preceding fiscal year to have been 100 and he shall compute an allowance pursuant to Section 7109.2 with respect to the units of average daily attendance during the period of the then current fiscal year which are more than 100.

The Superintendent of Public Instruction shall allow to each school district for each unit by which the average daily attendance for each period of the then current fiscal year in the seventh and eighth grades of a junior high school exceeds such average daily attendance for the same period during the preceding fiscal year the following: For the first period, the sum of two hundred twelve dollars (\$212) multiplied by the ratio of days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175 and, for the second period, the sum of two hundred twelve dollars (\$212) multiplied by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

7109.22. Notwithstanding any provision of this article to the contrary, allowances for growth for high school districts maintaining only one high school with a total average daily attendance during the preceding fiscal year of less than 301 shall be computed pursuant to this section:

The Superintendent of Public Instruction shall allow, for each period for each district which was in existence for all purposes during the preceding fiscal year an amount equal to the difference between the amount of basic state aid and state equalization aid which was apportioned on account of average daily attendance in such district during the preceding fiscal year and the amount of basic state aid and state equalization aid which would have been apportioned had the total average daily attendance in such district during such year been equal to the total average daily attendance during the period of the current year, multiplied for the first period by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175, and for the second period by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

7109.23. The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was not in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the computation of a day of attendance shall be determined according to the law in effect during the preceding fiscal year.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed for the first period of the then current fiscal year an amount determined by dividing the total of the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had the district been in existence for all purposes during the preceding fiscal year and had the tax required to be levied for such district under Section 7094 or 7095 been levied, by such average daily attendance multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed for the second period of the then current fiscal year an amount determined by dividing the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had the district been in existence for all purposes during the preceding fiscal year and had the tax required to be levied for such district under Section 7094 or 7095 been levied, by such average daily attendance multiplied by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

In making any computation under Section 7081 for the purposes of this section, the assessed valuation of the district for the current year shall be used.



7109.41. If the total amount which may be allowed to all districts under subdivision (b) of Section 7109 for the first period during any fiscal year is less than the total amount allowed to all districts for the first period under this article, the amounts allowed shall be reduced proportionately.

7109.42. If the total amount which may be allowed to all districts under subdivision (c) of Section 7109 for the second period during any fiscal year is less than the total amount allowed to all districts for the second period under this article, the amounts allowed shall be reduced proportionately.

7109.43. If the total amount which may be allowed to all districts under subdivision (c) of Section 7109 is more than the total amount allowed to all districts for the second period under this article, the balance shall be prorated to any allowance made during the first period to which Section 7109.41 applied in an amount not to exceed the allowances computed for the first period under this article. Any portion of the balance remaining after this computation shall be allowed pursuant to Section 7119.

#### Article 16. Recomputation of Allowances

7111. (b) The total amount allowed from the State School Fund as basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the state and county school tuition funds on account of elementary school pupils shall not exceed the amount provided by law.

(c) The total amount allowed from the State School Fund as basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all high schools in the state and county school tuition funds on account of high school pupils shall not exceed the amount provided by law.

(d) The total amount allowed from the State School Fund as basic and equalization aid to be apportioned on account of average daily attendance during the preceding fiscal year credited to all junior college schools in the State shall not exceed the amount provided by law.

7112. If the total amount allowed from the State School Fund to all elementary school districts, county school service funds, and county school tuition funds under Articles 5, 6, 7, 11 and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the state and county school tuition funds on account of elementary school pupils is less than the total amount provided in subdivision (b) of Section 7111, the balance shall be allowed by the Superintendent of Public Instruction to elementary school districts receiving state equalization aid during the then current year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all elementary school districts, multiplied by the amount of equalization aid computed for the district.

7113. If the total amount allowed from the State School Fund to all high school districts, county school service funds, and county school tuition funds under Articles 5, 6, 8, 11 and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all high schools in the state and county school tuition funds on account of high school pupils is less than the total amount provided in subdivision (c) of Section 7111, the balance shall be allowed by the Superintendent of Public Instruction to high school districts receiving state equalization aid during the then current year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all high school districts, multiplied by the amount of equalization aid computed for the district.

7114. If the total amount allowed from the State School Fund to all junior college districts and county school service funds under Articles 5, 9, 11, and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all junior college schools in the State is less than the total amount provided in subdivision (d) of Section 7111, the balance shall be allowed by the Superintendent of Public Instruction to junior college districts receiving state equalization aid during the then current year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all junior college districts, multiplied by the amount of equalization aid computed for the district.

7115. If the total amount allowed from the State School Fund to all elementary school districts, county school service funds, and county tuition funds under Articles 5, 6, 7, 11, and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the state and county school tuition funds on account of elementary schools pupils is more than the total amount provided in subdivision (b) of Section 7111, the amount allowed each such district as equalization aid from the State School Fund shall be reduced proportionately.

7116. If the total amount allowed from the State School Fund to all high school districts, county school service funds, and county tuition funds under Articles 5, 6, 8, 11, and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all high schools in the state and county school tuition



funds on account of high school pupils is more than the total amount provided in subdivision (c) of Section 7111, the amount allowed each such district as equalization aid from the State School Fund shall be reduced proportionately.

7117. If the total amount allowed from the State School Fund to all junior college districts and county school service funds under Articles 5, 9, 11, and 11.1 of this chapter on account of average daily attendance during the preceding fiscal year credited to all junior college schools in the State is more than the total amount provided in subdivision (d) of Section 7111, the amount allowed each such district as equalization aid from the State School Fund shall be reduced proportionately.

7118. The total balance resulting from the provisions of subdivision (e) of Section 7018.1 and Sections 7101.4, 7102.4 and 7103.4 shall be added proportionately to such of the allowances made under subdivisions (b) and (c) of Section 7018.1 and Sections 7101.1, 7101.2, 7102.1, 7102.2, 7103.1 and 7103.2 to which subdivision (d) of Section 7018.1 and Sections 7101.3, 7102.3, or 7103.3, respectively, applied, but not to exceed the amounts computed under subdivisions (b) and (c) of Section 7018.1 and Sections 7101.1, 7101.2, 7102.1, 7102.2, 7103.1 and 7103.2 without respect to subdivision (d) of Section 7108.1 and Sections 7101.3, 7102.3, or 7103.3. Any portion of the total balance remaining after such computation shall be allowed pursuant to Section 7119.

7119. (a) If the total amount allowed county school service funds under Article 2 of this chapter is less than the amounts provided by Section 7001 the balance shall be added to the balances resulting from the application of Section 7019, Sections 7109.43 and 7118, and the total of such balances shall be allowed as additional state equalization aid to the elementary districts, high school districts, and junior college districts that were allowed state equalization aid pursuant to Article 11 of this chapter.

(b) The amount of such balances to be allowed to all such elementary school districts shall be determined by multiplying the total of such balances by the ratio of average daily attendance during the preceding fiscal year credited to all kindergarten and elementary schools in the state and county school tuition funds on account of elementary school pupils to the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds. The amount allowed each such elementary school district shall be in the ratio that the amount of the total balance allowed to all elementary school districts bears to the amount of equalization aid allowed under Article 11 to all elementary school districts multiplied by the amount of equalization aid computed for the district.

(c) The amount of such balance to be allowed to all such high school districts shall be determined by multiplying the total of such balance by the ratio of average daily attendance during the preceding fiscal year credited to all high school in the state and county school tuition funds on account of high school pupils to the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds. The amount allowed each such high school district shall be in the ratio that the amount of the total balance allowed to all high school districts bears to the amount of equalization aid allowed under Articles 11 and 11.1 to all high school districts, multiplied by the amount of equalization aid computed for the district.

(d) The amount of such balance to be allowed to all such junior college districts shall be determined by multiplying the total of such balance by the ratio of average daily attendance during the preceding fiscal year credited to all junior college schools in the State to the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds. The amount allowed each such junior college district shall be in the ratio that the amount of the total balance allowed to all junior college districts bears to the amount of equalization aid allowed under Articles 11 and 11.1 to all junior college districts multiplied by the amount of equalization aid computed for the district.

#### Article 17. Apportionment of the State School Fund

7121. The Superintendent of Public Instruction shall on or before September 10th of each year apportion to each elementary school district, high school district, junior college district, county school service fund, and county school tuition fund the total amounts allowed to them under Articles 2, 5, 6, 7, 8, 9, 11, 11.1, and 16, excepting Sections 7118 and 7119 of this chapter. This apportionment shall be called the Principal Apportionment.

7121.1. The Superintendent of Public Instruction shall withhold from the apportionment made to each district for which a computation was made under Section 7032 or 7034 as follows:

If the district had fewer teachers than prescribed by the subdivision of Section 7032 or 7034 under which the computation was made, the Superintendent of Public Instruction shall withhold an amount determined as the difference between the amount allowed under Articles 7 and 11 and the amount that would have been allowed had the computation for the district under Section 7032 or 7034 been made by multiplying the total average daily attendance by two hundred twelve dollars (§212).

7121.2. (a) If by November 10th of any current fiscal year, an additional teacher or teachers are hired for a school in a district from which a withholding was made

pursuant to Section 7121.1 and the school fully meets the requirements of the appropriate subdivision of Section 7082 or 7084, the Superintendent of Public Instruction shall appropriate at the time the apportionment under Section 7122 is made to the district the amount withheld.

(b) In the event that state money is withheld pursuant to Section 7121.1 than is allowed pursuant to subdivision (a) of this section, the balance shall be allowed pro rata by the Superintendent of Public Instruction to elementary school districts according to equalization not earlier than the current year and apportioned at the time the apportionment under Section 7124 is made.

7122. The Superintendent of Public Instruction shall on or before December 10th of each year appropriate to each elementary, high school, and junior college district, and county school service fund the sum of amounts allowed to them under Articles 8, 12, 13, and 14 and Section 7118 and subdivision (a) of Section 7121.2 of this chapter. This appropriation shall be called the Special Purpose Apportionment.

7123. (a) The Superintendent of Public Instruction shall on or before February 15th for the first period of each fiscal year appropriate to each elementary, high school, and junior college district the amount allowed to such district under Article 15 of this chapter. This apportionment shall be called the First Period General Apportionment.

(b) It shall on or before June 15th for the second period of each fiscal year appropriate to each elementary, high school, and junior college district the amount allowed to such district under Article 16 of this chapter. This apportionment shall be called the Second Period General Apportionment.

7124. The Superintendent of Public Instruction shall on or before June 25th of each year appropriate to each elementary, high school, and junior college district the total of the amounts allowed to the district under Section 7119 of Article 16 of this chapter. This apportionment shall be called the Final Apportionment.

7125. (a) The Superintendent of Public Instruction shall withhold from the apportionment to each high school district all amounts allowed such high school district by reason of the operation of subdivision (a) of Section 7084 for the average daily attendance of grades 11 and 12 maintained in the district by a junior college district, determined to be an amount which shall bear the same ratio to the total amount computed for the high school district of amount of the average daily attendance in grades 9 to 12, inclusive, as the average daily attendance in grades 11 and 12 maintained by the junior college district bears to the whole of the average daily attendance in grades 9 to 12, inclusive, maintained in the high school district, and shall add the amounts so withheld to the apportionment reported to such high school district.

(b) The Superintendent of Public Instruction shall appropriate to each high school district the amount computed for the high school district as a junior college district pursuant to subdivision (d) of Section 7000.

7126. The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller.

7127. The Superintendent of Public Instruction shall furnish an abstract of each apportionment of the State School Fund to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and to the county superintendents of schools of the several counties of the State.

#### Article 18. Miscellaneous Provisions

7141. On or before November 10th of each year, the county auditor of each county shall furnish to the Superintendent of Public Instruction the assessed, valuation and tax rates of each school district or portion of school district situated within his county, as shown by the equalized assessment roll of the county for the year.

7142. "County" or "counties" as used in this division includes a city and county.

7143. The average daily attendance of pupils attending high school courses maintained by an elementary school district shall be, for the purposes of this division, computed average daily attendance in high school classes maintained by a high school district and expenditures of one hundred twenty dollars (\$120) per unit of average daily attendance, and a portion of such average daily attendance shall be made to the elementary school district.

7144. The term "elementary school district" as used in this chapter means, unless expressly provided otherwise, each elementary school district which is composed of a single elementary school district and each union elementary school district, joint union elementary school district, or unified school district; and does not include any elementary school district included within a union elementary school district or a joint union elementary school district or a unified school district.

7145. For the purposes of Chapters 12, 13, 14, and 15 of this division, each elementary school district as defined by Section 7144, high school district and junior college district merged or otherwise included within a unified school district shall be deemed a separate and independent district, but all apportionments from the State School Fund or amount of any district merged or otherwise included within a unified school district shall be made to the unified school district and shall be available for expenditure by the unified school district for all schools and classes of the district.

7146. No state equalization aid shall be allowed under Article 11 of this chapter to any district included within a unified school district unless there shall have been

levied, pursuant to this code, for such unified school district during the preceding fiscal year, exclusive of tax levied under Sections 4963.2, 5063, 6357.2, 7516, 7736, 14725, 14775 and 19613.6, a tax in not less than the amount determined by adding the rates of tax required to be levied under Section 7094 or 7095 as may be applicable for each type of district included within the unified school district.

7146.1. No state equalization aid shall be allowed under Article 11 of this chapter to any high school district which maintained a junior college unless there shall have been levied, pursuant to this code, during the preceding fiscal year, exclusive of tax levied under Sections 4963.2, 5063, 6357.2, 7516, 7736, 14725, 14775 and 19613.6, a tax in not less than the amount determined by adding the rates of tax required to be levied under Section 7094 or 7095 as may be applicable for a high school district and for a junior college district.

7146.2. No state equalization aid shall be allowed under Article 11 of this chapter to any high school district, the boundaries of which are coterminous with and which is governed by the same governing board as a junior college district, or to any junior college district the boundaries of which are coterminous with and which is governed by the same governing board as the high school district, for which a tax is levied under subsection (c) of Section 6357, unless there shall have been levied, pursuant to this code, during the preceding fiscal year, exclusive of tax levied under Sections 4963.2, 5063, 6357.2, 7516, 7736, 14725, 14775 and 19613.6, a tax in not less than the amount determined by adding the rates of tax required to be levied under Section 7095 as may be applicable for a high school district and for a junior college district.

7148. For the purposes of this division whenever computations of apportionments based on average daily attendance are made for high school districts only the attendance in all classes of grades nine to twelve, inclusive, and in all types of ungraded classes, including classes for adults, which have been reported as attached to, or as a part of, a school which maintains any of grades nine to twelve, inclusive, shall be included.

7149. For the purposes of this division whenever computations of apportionments based on average daily attendance are made for junior college districts only the attendance in all classes of grades thirteen and fourteen and all types of ungraded classes, including classes for adults, which have been reported as attached to, or as a part of, a junior college which maintains grades thirteen and fourteen shall be included.

7151. Notwithstanding anything in this chapter to the contrary the amount allowed by the Superintendent of Public Instruction during each of the first five fiscal years as the total basic state aid and state equalization aid for a union elementary school district, joint union elementary school district, or unified school district formed in accordance with the provisions of Chapter 16 of Division 2 of this code between July 1, 1947, and July 31, 1952, inclusive, and conforming with approved plans and recommendations of a local survey committee or county committee, shall during each of the first five fiscal years of its existence for all purposes be not less than the total amount which would have been allowed as basic state aid and state equalization aid to the districts merged into the union elementary school district, joint union elementary school district or unified school district had such school district not been formed.

7152. Notwithstanding anything in this chapter to the contrary the amounts allowed as basic state aid and state equalization aid by the Superintendent of Public Instruction during the first year of existence for all purposes of a unified school district formed under Chapter 16 of Division 2 of this code on or after July 1, 1953, shall not be less than the amounts that would have been allowed to all of the districts formed into the unified district, had such unified district not been formed. The amounts allowed as basic state aid and state equalization aid to such unified district during the succeeding four years, and thereafter, of its existence for all purposes shall not be less than the amounts allowed the district under Articles 7, 8, 9, and 11 of this chapter plus 80 percent, reduced by an additional 20 percent for each of the succeeding four years, of the difference between the amounts that would have been allowed under this chapter to all the districts formed in the unified district had such unified district not been formed and the amounts allowed the unified district under Articles 6, 7, 8, and 11 of this chapter.

7153. Notwithstanding anything in this chapter to the contrary the amounts allowed as basic state aid and state equalization aid by the Superintendent of Public Instruction during the first year of its existence for all purposes of a union or joint union elementary school district formed under Chapter 16 of Division 2 of this code on or after July 1, 1953, shall not be less than the amounts that would have been allowed to all of the districts formed into the union or joint union district had such district not been formed. The amounts allowed as basic state aid and state equalization aid to such union or joint union district during the second, and succeeding two years, and thereafter, of its existence for all purposes shall not be less than the amounts allowed the district under Articles 7 and 11 of this chapter plus 66⅔ percent, reduced by an additional 33⅓ percent for each of the succeeding two years, of the difference between the amounts that would have been allowed under this chapter to all the districts formed into the union or joint union district had such district not been formed and the amounts allowed the union or joint union district under Articles 6 and 11 of this chapter.



7190. If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund more or less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment made during such next or succeeding fiscal year, the amount of such excess or deficiency, as the case may be.

When any judgment has been rendered which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of more than the amount actually apportioned thereto during such fiscal year, the difference shall be apportioned to the district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final before any other apportionment from the State School Fund is made. Upon the becoming final of any judgment which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of less than the amount actually apportioned thereto during any fiscal year, the difference shall be deducted from the apportionment made to such district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final.

SEC. 5. Articles 1 and 4 of Chapter 16 of Division 3 of said code are repealed.

SEC. 6. Article 1 is added to Chapter 16 of Division 3 of said code, to read:

#### Article 1. County School Service Fund

7201. There is hereby established in the treasury of each county the "county school service fund."

7202. Wherever any of the terms "unapportioned county elementary school fund," "county elementary school supervision fund," or "unapportioned county high school fund" are used in this code or in any other law, said term shall be deemed to refer to and mean the "county school service fund" established by this chapter.

7203. During July or August of each year the county superintendent of schools shall transfer to the county school service fund 80 percent of any excessive balance or unnecessary surplus in any school fund of any school district. Funds raised by school district taxes shall not be transferred.

7204. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the forest reserve school fund of the county.

The money thus added to the forest reserve school fund and any balance therein on the effective date of this section shall be apportioned by the county superintendent of schools with approval of the county board of education to school districts of the county lying within or adjacent to the United States Forest Reserve.

All of such money placed in the forest reserve school fund shall be apportioned to districts in the manner prescribed prior to the thirtieth day of June of the fiscal year next following the fiscal year in which received.

When a portion of the area of a county is subject to the jurisdiction of the county superintendent of schools of another county, or counties and such portion lies in or adjacent to the U. S. Forest Reserve, no apportionment shall be made to any district from the forest reserve school fund without the approval of the county boards of education of both or all counties. In the event that both or all county boards of education do not concur in the apportionments from the forest reserve school fund prior to the first day of April of any year the county superintendent of schools of both or all counties shall on that date notify the Superintendent of Public Instruction who shall, not later than 60 days following notification, make the apportionments. Apportionments made by the Superintendent of Public Instruction are final.

Money apportioned to a school district pursuant to this section shall be deposited by the county auditor to the credit of the several funds of the district in the same ratio that district taxes are levied for the several funds.

7205. The county school service fund shall be employed by the county superintendent of schools to pay such charges against the fund as are provided in this code; and to provide with the approval of the county board of education (a) additional apportionments to any school district under his jurisdiction for current expenses which (1) has levied the maximum district tax specified in Section 6257 and in which the annual average current cost per pupil does not exceed the annual average current cost per pupil for all districts of the same type within the county or under the jurisdiction of the county superintendent of schools, or (2) which needs additional apportionments for current expenses because of temporary emergency conditions, and (b) additional apportionments to any school district under his jurisdiction for the transportation of pupils to and from school to meet temporary emergency conditions.

7206. The county superintendent of schools may:

(a) With the approval of the county board of education provide advisory services in school business administration, in maintenance of school buildings and grounds,



and in the processing of special problems concerning credentials as designated by the State Department of Education.

(b) Pay actual and necessary travel expenses incurred, in connection with curricular and special services, by the county superintendent of schools, or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction.

The costs incurred under this section shall be paid out of the county school service fund.

7207. The county superintendent of schools shall, except as otherwise provided by this code, expend from the county school service fund all amounts apportioned to said fund for supervision of instruction, exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than 900 units of average daily attendance during the next preceding fiscal year, and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district, and for the furnishing of such clerical help, supplies, and equipment to the supervisors as the county superintendent of schools deems necessary. In the event of the inability of the county superintendent of schools to use such amounts advantageously during any fiscal year, the unexpended portion of such amounts may be used for other purposes of the county school service fund.

7208. No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Sections 7001 and 7002, without the approval of the Superintendent of Public Instruction.

It shall be the duty of the county auditor to approve warrants drawn on the county school service fund for expenses approved in the county school service fund budget by the Superintendent of Public Instruction pursuant to Section 7002.

7209. Neither the county school service fund nor any property leased or purchased with moneys from said fund is subject to the jurisdiction or control of the board of supervisors. The title to all property purchased by the county superintendent of schools from said fund is in the offices of the county superintendent of schools.

SEC. 7. Section 8007 of said code is amended to read:

8007. Whenever a school building or buildings of a school district are or have been destroyed, or made unusable through any cause for the maintenance of school, and the Superintendent of Public Instruction is satisfied no suitable quarters for the school can be or could have been obtained within the district, he may authorize the governing board of the district to maintain a school elsewhere than within the district or to contract for the education of the pupils of such district with the governing board of another district.

The maintenance of a school by a district outside the boundaries of the district as provided in this article shall be deemed for all purposes to be or have been the maintenance of a school within the boundaries of the district.

The making of a contract by the governing board of a district as provided in this article shall be deemed to be or have been maintenance of a school within the boundaries of the district except that the attendance of the pupils under such contract shall be reported by, and allowances because of the attendance of pupils under such a contract shall be made, to the district of attendance. For the purposes of Article 8, Chapter 7, Division 2 of this code, the average daily attendance of the district in which such pupils reside who are educated under such contract shall be the average daily attendance of the pupils educated under such contract.

SEC. 8. Section 8008 of said code is amended to read:

8008. Whenever the governing board of a school district is unable to maintain the school or schools in the district because of its inability to secure a teacher, or teachers, the board may, with the approval of the county superintendent of schools having jurisdiction and the Superintendent of Public Instruction, maintain the school, or schools, of the district elsewhere than within the district or contract for the education of the pupils of such school, or schools, with the governing board of another district.

The maintenance of a school by a district outside the boundaries of the district as provided in this article shall be deemed for all purposes to be or have been the maintenance of a school within the boundaries of the district.

The making of a contract by the governing board of a district as provided in this article shall be deemed to be or have been the maintenance of a school within the boundaries of the district except that the attendance of the pupils under such contract shall be reported by, and allowances because of attendance of pupils under such a contract shall be made, to the district of attendance. For the purposes of Article 8, Chapter 7, Division 2 of this code, the average daily attendance of the district in which such pupils reside who are educated under such contract shall be the average daily attendance of the pupils educated under such contract.

SEC. 9. Section 9645 of said code is repealed.

SEC. 10. Section 9645 is added to said code, to read:

9645. The Superintendent of Public Instruction shall determine the amount of excess expense incurred by each county superintendent of schools for the education of physically handicapped pupils. "Excess expense" as employed in this section includes the

total current expenses of education incurred for remedial classes and for individual instruction of physically handicapped children, plus the excess amount of the current expense of education made for all other physically handicapped pupils instructed in special schools, in special classes, or in the regular classes over the amount to be apportioned as basic state aid under the provisions of Article 5 of Chapter 15 of Division 3 of this code to the county school service fund during the then current year on account of the average daily attendance of all pupils whose attendance is credited to the county school service fund at the level for which the excess expense is to be determined, exclusive of the average daily attendance of pupils in a juvenile hall school maintained by the county superintendent of schools during the preceding fiscal year.

SEC. 11. Section 9617 of said code is repealed.

SEC. 12. Section 9617 is added to said code, to read:

9617. The Superintendent of Public Instruction shall determine the amount of the excess expense incurred by each school district for the education of physically handicapped pupils. "Excess expense" as employed in this section includes the total current expenses of education incurred for remedial classes and for individual instruction of physically handicapped children in the home or in an institution, plus the excess amount of the current expenses incurred for all other physically handicapped pupils instructed in special schools, in special classes, or in regular classes over the expense for an equal number of units of average daily attendance of pupils not classified as physically handicapped or mentally retarded pupils. "Remedial classes" as herein employed includes special classes providing remedial instruction for physically handicapped pupils who are excused in small numbers for a portion of a class period from regular classes, without appreciable reduction in the costs of the regular classes.

SEC. 13. Section 9809 of said code is repealed.

SEC. 14. Section 9809 is added to said code, to read:

9809. The Superintendent of Public Instruction shall determine the amount of the excess expense incurred by each school district for the education of mentally retarded minors. "Excess expense" as employed in this section includes the total current expenses of education incurred for mentally retarded minors instructed in special schools or classes, over the expense for an equal number of units of average daily attendance of pupils not classified as mentally retarded minors or physically handicapped minors.

SEC. 15. Section 9809.1 is added to said code, to read:

9809.1. The Superintendent of Public Instruction shall determine the amount of the excess expense incurred by each county superintendent of schools for the education of mentally retarded minors. "Excess expense" as employed in this section includes the total current expenses of education incurred for mentally retarded minors instructed in special schools or classes, over the amount to be apportioned as basic state aid under the provisions of Article 5 of Chapter 15 of Division 3 of this code to the county school service fund during the then current fiscal year on account of all pupils whose attendance is credited to the county school service fund at the level for which the excess expense is to be determined, exclusive of the average daily attendance of pupils in a juvenile hall school maintained by the county superintendent of schools during the preceding fiscal year.

SEC. 16. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1953. A statement of the facts constituting such necessity is as follows:

"The adoption by the people of the State of California at the General Election held November 4, 1952, of amendments to the Constitution of the State of California amending Section 6 of Article IX, of said Constitution, to take effect July 1, 1953, requires that this act take effect immediately in order that the will of the people respecting the support of the Public School System shall be given effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 776

Senator Collier moved that Senate Bill No. 776 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 776**—An act, the State Highway Act of 1953 to provide for a system of public streets and highways in this State and for the financial support thereof, including the levying of taxes therefor,

and in connection therewith to amend Sections 7351 and 8651 of, to add Sections 7354, 7653, and 7654 to, and to repeal Section 9654 of, the Revenue and Taxation Code, and to amend Sections 276, 277, 370, 372, and 381 of the Vehicle Code, and to amend Sections 186 and 188.4 of the Streets and Highways Code, and to prescribe the dates upon which the provisions hereof take effect.

Bill read second time.

**Motion to Amend**

Senator Collier moved the adoption of the following amendments:

**Amendment No. 1**

In the heading of the printed bill, as amended in Senate April 1, 1953, after "Introduced by Senator Collier", insert ": Powers, Brown, Way, Ward, Parkman, Hulse, Montgomery, Williams, Byrne, Desmond, Sutton, Cunningham, Berry, Thompson, Hatfield, Miller, Grunsky, Ed. C. Johnson, Coombs, McBride, Erhart, Weybret, Busch, McCarthy, Abshire, Kraft, Gibson, Hoffman, and Burns, as co-authors."

**Amendment No. 1.5**

In line 7 of the title, strike out "276, 277,".

**Amendment No. 2**

On page 2, line 25, strike out "seven and one-half cents (\$.07 $\frac{1}{2}$ )", and insert "seven cents (\$.07)".

**Amendment No. 3**

On page 3, strike out lines 40 to 52, inclusive.

**Amendment No. 4**

On page 4, line 1, strike out "SEC. 11", and insert "SEC. 9".

**Amendment No. 5**

On page 4, line 5, strike out "two dollars and fifty cents (\$2.50)", and insert "three dollars (\$3)".

**Amendment No. 6**

On page 4, lines 7 and 8, strike out "two dollars and fifty cents (\$2.50)", and insert "three dollars (\$3)".

**Amendment No. 7**

On page 4, strike out lines 19 to 44, inclusive.

**Amendment No. 8**

On page 7, line 1, strike out "SEC. 13", and insert "SEC. 10".

**Amendment No. 9**

On page 7, line 17, strike out "SEC. 14", and insert "SEC. 11".

**Amendment No. 10**

On page 7, line 32, strike out "75", and insert "60".

**Amendment No. 11**

On page 7, line 33, strike out "75", and insert "60".

**Amendment No. 11.5**

On page 8, between lines 34 and 35, insert

"(1) During the period the percentages prescribed by this section are in effect, no money available for expenditure upon state highways pursuant to this code shall be expended for any of the following:

(1) Landscaping, except maintenance of existing landscaping along and adjacent to any state highway, but the term "landscaping" as used herein shall not include planting for soil erosion control and median and safety screens.

(2) Frontage roads, unless there will be at least one continuous mile of structures at close intervals along such road and then only if such structures will occupy three-fourths of the frontage of such road.

(3) Curbs on access delineators.

(4) Fencing of any kind including median strips and right of way."

**Amendment No. 12**

On page 8, line 35, strike out "SEC. 15", and insert "SEC. 12".



**Amendment No. 13**

On page 8, line 37, strike out "SEC. 16", and insert "SEC. 13".

**Amendment No. 14**

On page 8, line 37, after "to", strike out "11", and insert "9".

**Amendment No. 15**

On page 8, strike out lines 44 and 45; and on line 46, strike out "10, and 11", and insert "increase in fees for operator's and chauffeur's licenses made by Section 9".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered :

**Senate Joint Resolution No. 32:** By Senators Kraft and Hulse—Relative to memorializing the Congress of the United States in relation to the enactment of federal dangerous drug controls.

Referred to Committee on Judiciary.

**Senate Joint Resolution No. 33:** By Senators Kraft and Hulse—Relative to memorializing the Congress of the United States to increase the number of authorized narcotic enforcement agents.

Referred to Committee on Judiciary.

**Senate Joint Resolution No. 34:** By Senators Kraft and Hulse—Relative to memorializing the Congress of the United States to increase the penalties for second and subsequent narcotic offenses.

Referred to Committee on Judiciary.

**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 306**—An act to amend Section 123 of the Agricultural Code, relating to nursery stock manifests.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 307**—An act to amend Section 122 of the Agricultural Code, relating to nursery stock certificates.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote :

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—26.

**NOES**—None.

Bill ordered transmitted to the Assembly.



**Assembly Bill No. 2507**—An act to amend the heading of Chapter 7 of Division 3 of, and to amend Sections 435 and 436 of, the Agricultural Code, relating to unlawful marking, branding and transporting of live-stock or carcasses thereof.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3344**—An act to amend Section 290 of the Penal Code, relating to registration of sex offenders.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 706**—An act to add Section 5522 to the Welfare and Institutions Code, relating to escape of sexual psychopaths.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—24.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2240**—An act to amend Section 5360 of the Welfare and Institutions Code, relating to drug addicts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—21.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 3052**—An act to add Section 330c to Chapter 10 of Title 9 of Part 1 of the Penal Code, relating to the manufacture, distribution and possession of punch boards.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Buseh, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Tenney, Thompson, Weybret, and Williams—21.  
NOES—Senator Berry—1.

Bill ordered transmitted to the Assembly.

**Senator Busch Presiding**

At 2.17 p.m., Senator Burt W. Busch of the Fourth District, presiding.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Assembly Bill No. 2372**—An act to amend Sections 176 and 180.7 of the Vehicle Code, relating to vehicle registration and transfer thereof.

Bill read third time, and presented by Senator Byrne.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Weybret, and Williams—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1069**—An act to amend Section 503 of the Elections Code, relating to election precincts.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 2.31 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 1083**—An act to amend Section 5503 of the Elections Code, relating to election procedure.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senator Donnelly Presiding**

At 2.36 p.m., Senator Hugh P. Donnelly of the Twenty-second District, presiding.

**Assembly Bill No. 1084**—An act to amend Section 5550 of the Elections Code, relating to the conduct of elections.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Ward, Weybret, and Williams—25.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1085**—An act to amend Section 5553 of the Elections Code, relating to election procedure at the polls.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Ward, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1087**—An act to repeal and add Section 5700 of the Elections Code, relating to procedure at the polls.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1088**—An act to amend Section 5703 of the Elections Code, relating to casting of ballots.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1089**—An act to amend Section 5709 of the Elections Code, relating to the casting of ballots.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, and Ward—23.  
NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1095**—An act to amend Sections 7011 and 7020 of the Elections Code, relating to stringing ballots.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, and Williams—22.  
NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1068**—An act to amend Section 501 of the Elections Code, relating to election precincts.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1079**—An act to amend Sections 3944 and 3822 of the Elections Code, relating to ballot forms.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Ward, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1092**—An act to amend Section 5809 of the Elections Code, relating to election ballots.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 970**—An act to add Section 21200.5 to the Corporations Code, relating to the powers of unincorporated nonprofit medical associations.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1346**—An act to amend Section 4895 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Byrne, Dilworth, Donnelly, Erhart, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybref, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 86**—An act to amend Section 2205 of the Education Code, relating to powers of governing boards.

Bill read third time, and presented by Senator Tenney.



The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 457**—An act to amend Section 356 of the Education Code, relating to duties of the county superintendent of schools.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Burns, Busch, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1669**—An act to add Section 375 to the Education Code, relating to contracts between school districts and county superintendents of schools.

Bill read third time, and presented by Senator Harold T. Johnson.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.05 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 1961**—An act to amend and renumber Article 5 of Chapter 1, Part 1, Division 2, Title 2 of the Government Code as added by Chapter 1238 of the Statutes of 1949, relating to legislative funds and administration.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Ward, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1612**—An act to amend Section 31853 of the Streets and Highways Code, relating to municipal off-street parking facilities.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES.**—Senators Berry, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hathfield, House, Ed. C. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—21.

**NOES.**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1967.**—An act to amend Section 1702 of the Elections Code, and to add Section 34701.1 to the Government Code, relating to petitions for dissolution or disincorporation of cities or cities and counties.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES.**—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffmann, House, Ed. C. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

**NOES.**—None.

Bill ordered transmitted to the Assembly.

#### Senator Tenney Presiding

At 3:15 p.m., Senator Jack B. Tenney of the Thirty-eighth District, presiding.

**Assembly Bill No. 1995.**—An act to amend and renumber Section 14074.5 of the Health and Safety Code as added by Chapter 1587, Statutes of 1951, relating to fire protection districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES.**—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffmann, House, Ed. C. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.

**NOES.**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2001.**—An act to amend Section 54414 of the Government Code, relating to the powers and duties common to cities, counties, and other agencies.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

**AYES.**—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffmann, House, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—24.

**NOES.**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2017.**—An act to amend Section 7904 of the Public Resources Code, relating to proceedings against delinquent purchasers of state lands.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2018**—An act to amend Section 5750 of the Public Resources Code, relating to regional shoreline park and recreation districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2019**—An act to amend Section 5568 of the Public Resources Code, relating to financing improvements of regional park districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2020**—An act to amend Section 5560 of the Public Resources Code, relating to the violation of regulations in regional park districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Tenney, Ward, Weybret, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2036**—An act to repeal Chapter 117 of the Statutes of 1880, relating to drainage districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Byrne, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Ward, Weybret, and Williams—22.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2041**—An act to amend Section 8710.5 of the Water Code, relating to approval of plans of reclamation by the Reclamation Board.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2042**—An act to amend Section 8129 of the Water Code, relating to improvement of non-navigable streams.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan MacFarlane Richards, Jr., at the Desk

**Assembly Bill No. 2043**—An act to amend Section 1611 of the Water Code, relating to the issuance or refusal of licenses to divert water.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2044**—An act to amend Section 1464 of the Water Code, relating to preferred priorities of municipalities in the appropriation of water.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2045**—An act to amend Section 310 of the Water Code, relating to waste from artesian wells.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote :

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2046**—An act to amend Section 5060 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and presented by Senator Grunsky.



The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.38 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 2047**—An act to amend Section 824 of the Streets and Highways Code, relating to highways.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Coombs, Dilworth, Donnelly, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1563**—An act to amend Section 37902 of the Government Code, relating to municipal contracts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Byrne Presiding**

At 3.39 p.m., Senator Paul Byrne of the Sixth District, presiding.

**Assembly Bill No. 2344**—An act to amend Sections 34080, 34327, and 34328 of the Government Code, relating to the government of cities.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Powers, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2039**—An act to repeal Section 31007 of the Water Code, to amend and renumber Section 31006 of said code as amended and renumbered by Chapter 1114 of the Statutes of 1949 to be Section 31007 of said code, and to amend Section 31500 of said code, relating to the powers and purposes of county water districts.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Brown, Burns, Busch, Byrne, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Tenney, Thompson, Ward, Weybret, and Williams—21.

NOES—None.

**Motion to Reconsider**

Senator Grunsky moved to reconsider the vote whereby Assembly Bill No. 2039 was passed.

**Postponement of Reconsideration**

On motion of Senator Grunsky, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 2039 was passed, was continued until the next legislative day.

**Assembly Joint Resolution No. 24** Relative to the compensation of postal employees.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES: Senators Berry, Breed, Burns, Busch, Byrne, Dilworth, Donnelly, Ehrhart, Gasson, Grunsky, Harfield, Hoffman, Ed C. Johnson, Harold T. Johnson, Kraft, Montgomery, Powers, Sutton, Tenney, Thompson, Ward, Weybreit, and Williams—23.  
 NOES: None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
 DISPENSED WITH**

At 3.45 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY, CALIFORNIA LEGISLATURE  
 April 10, 1953

Mr. Joseph A. Beek  
*Secretary of the Senate*  
*State Capitol*  
*Sacramento, Calif.*

DEAR MR. BEEK: We are replying herewith as per your request Senate Bills 266, 542, 799, and 800.

Yours very truly,

ARTHUR A. OHNIMUS

Message read.

Senate Bills Nos. 266, 542, 799 and 800 ordered to Unfinished Business File.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 69  
 Assembly Bill No. 280  
 Assembly Bill No. 323  
 Assembly Bill No. 330  
 Assembly Bill No. 506  
 Assembly Bill No. 582  
 Assembly Bill No. 583  
 Assembly Bill No. 870  
 Assembly Bill No. 1116  
 Assembly Bill No. 1224  
 Assembly Bill No. 1225

Assembly Bill No. 1226  
 Assembly Bill No. 1227  
 Assembly Bill No. 1239  
 Assembly Bill No. 1493  
 Assembly Bill No. 1510  
 Assembly Bill No. 1581  
 Assembly Bill No. 2025  
 Assembly Bill No. 2259  
 Assembly Bill No. 2969  
 Assembly Bill No. 3264

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
 By PATRICK MURPHY, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 69**—An act to amend an initiative act entitled “An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith,” approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10.5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 280**—An act to amend Section 1143 of the Penal Code, relating to jury fees.

Referred to Committee on Judiciary.

**Assembly Bill No. 323**—An act to amend Sections 814 and 828.7 of, and to add Sections 812.4a, 814.1 and 828.7a to the Agricultural Code, relating to standard containers for vegetables, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 330**—An act to amend Section 13005 of the Health and Safety Code, relating to liability in relation to fires.

Referred to Committee on Judiciary.

**Assembly Bill No. 506**—An act to amend Section 29 of the Fish and Game Code, relating to the taking of birds, mammals, or fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 582**—An act to add Section 845.3 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 583**—An act to add Section 88.5 to the Fish and Game Code, relating to fish and game districts.

Referred to Committee on Fish and Game.

**Assembly Bill No. 870**—An act to amend Section 3135 of the Financial Code and to add a new section to said code to be numbered 3138.5, relating to the liability of stockholders of trust companies which are not banks.

Referred to Committee on Financial Institutions.

**Assembly Bill No. 1116**—An act to amend Sections 2106, 2111, and 2203 of, and to add Section 2305 to, the Elections Code, relating to the selection of delegates to the presidential conventions at the presidential primaries.

Referred to Committee on Elections.

**Assembly Bill No. 1224**—An act to add Section 224n to the Civil Code, relating to the rights and responsibilities of an agency to which a child has been relinquished for adoption.

Referred to Committee on Judiciary.

**Assembly Bill No. 1225**—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

**Assembly Bill No. 1226**—An act to add Section 34.5 to the Civil Code, relating to hospital and medical care for unmarried, pregnant minors.

Referred to Committee on Judiciary.

**Assembly Bill No. 1227**—An act to amend Section 224m of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

**Assembly Bill No. 1239**—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments.

Referred to Committee on Judiciary.

**Assembly Bill No. 1493**—An act to amend Section 690 of the Elections Code, relating to the compensation of members of precinct boards.

Referred to Committee on Elections.

**Assembly Bill No. 1510**—An act to add Section 1005.5 to the Code of Civil Procedure, relating to notices of motion.

Referred to Committee on Judiciary.

**Assembly Bill No. 1581**—An act to amend Section 4044 of the Business and Professions Code, relating to drugs salable by grocers, dealers and vendors generally.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 2025**—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

**Assembly Bill No. 2259**—An act to amend Section 784.2 of, and to add Section 787.3 to, the Agricultural Code, relating to fruit, nut, and vegetable standards.

Referred to Committee on Agriculture.

**Assembly Bill No. 2969**—An act to amend Section 980 of the Military and Veterans Code, relating to benefits for veterans, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 3264**—An act to add Section 3.1 to the Wildlife Conservation Act of 1947 (Chapter 1325, Statutes of 1947), relating to acquisition of property.

Referred to Committee on Fish and Game.



MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

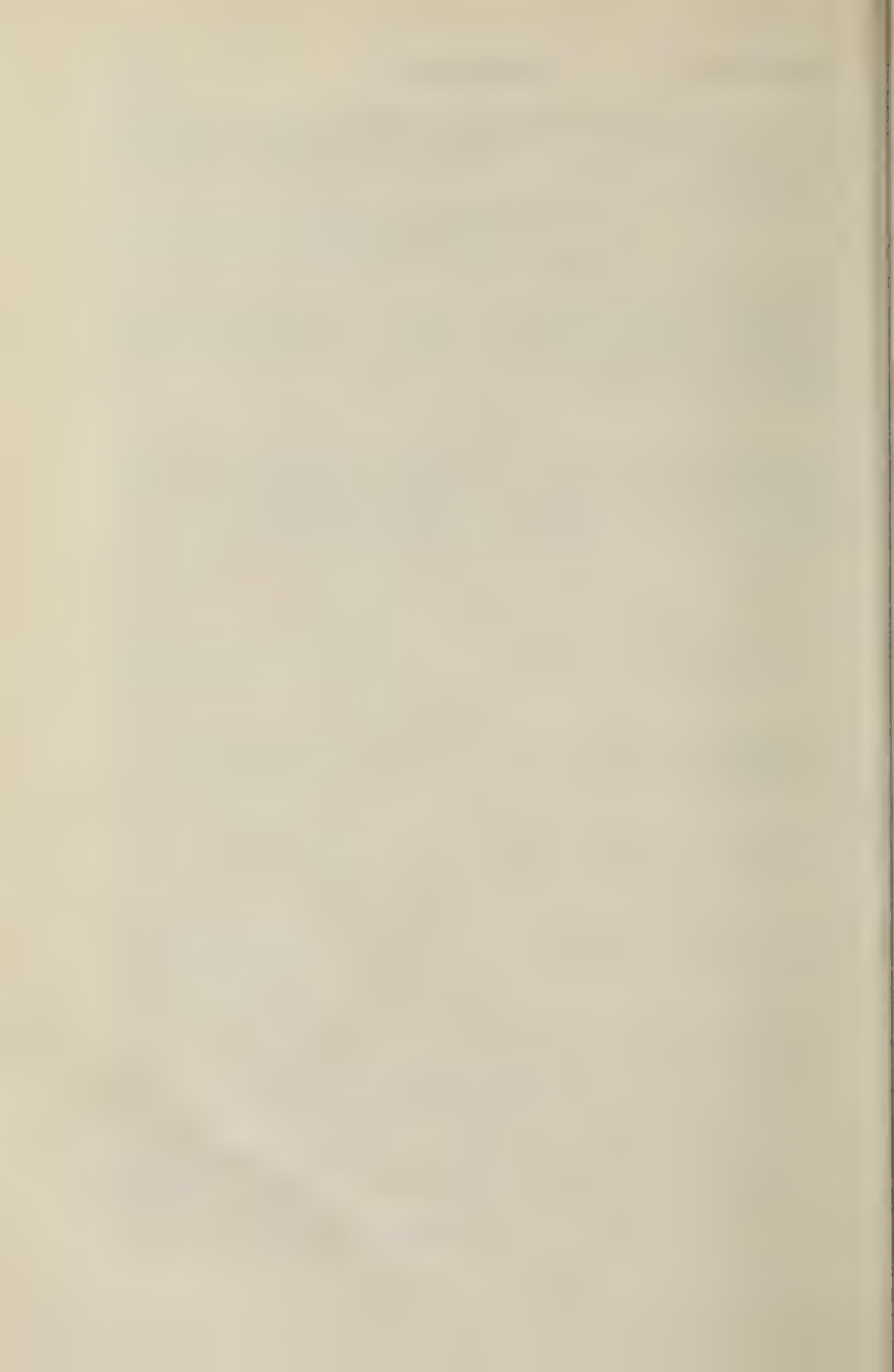
**Assembly Joint Resolution No. 25**—Relative to memorializing the Congress of the United States in relation to the protection of parity prices for agricultural commodities.

Referred to Committee on Agriculture.

ADJOURNMENT

At 3.47 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Monday, April 13, 1953, in commemoration of Senator Montgomery's sixty-fourth birthday.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

SIXTY-SECOND CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 13, 1953

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—36.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Murdy, on motion of Senator Collier, due to legislative business.

Senator Hatfield, on motion of Senator Collier, due to illness.

Senator Harold T. Johnson, on motion of Senator Powers, due to legislative business.

## PLEDGE OF ALLEGIANCE

Senator Hoffman led the Senate in pledging allegiance to the Flag.

"I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all."

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. Y. Thompson and her daughter, Penny, of Morgan Hill.

On request of Senators O'Gara and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Roy E. England of San Gabriel.

On request of Senators O'Gara and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. James F. Pichel, U. S. A. (Ret.) of Burlingame.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the San Diego Chamber of Commerce: Frank Alessio, E. Robert Anderson, O. M. Avison, Tony Bachman, John Bate, Ernest J. Billman, Ray T. Blair, Berma W. Bonham, Paul Borgerding, Lee Brewer, Mayor John D. Butler, O. W. Campbell, Howard Carroll, Curtis Coleman, Joseph E. Dryer, Glen Erickson, Frank A. Gibson, Stanley Grove, MacArthur Gorton, Sam W. Hamill, Jack Hanna, Donald E. Hanson, Griffith Hayes, Bruce R. Hazard, Gerald Heibron, Wm. A. Hoss, Herbert Howard, Craig Howry, Sgt. Cecil W. Hutchens, Alden W. Johnson, Russell Johnson, Arnold Klaus, Charles W. Lamden, Dr. Malcolm A. Love, Charles T. Leigh, George Leonard, William L. Edie, Sam T. Loftin, Sgt. Thomas C. Markezich, O. L. McKenney, William C. Moeser, Hamilton Moody, Kenneth A. Nairne, Jim Neyenesch, C. J. Paderewski, G. J. Pernicano, Ralph J. Phillips, Richard Pourade, Charles C. Ramsey, Floyd L. Shaw, Fred W. Simpson, George A. Stannard, Harold B. Starkey, Russell Stowell, T. S. Thompson, David R. Townson, Fred Wagner, Harry Wax, Arthur Wells, Dick Wilkins, Chas. B. Wincote, and Dr. H. W. Wuerthele.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Instructor Sam Price and the following students from Modesto Junior College: Jack McDonald, Carmel Robirds, Donald Reed, Harry Norman, Harold Mathers, Jack Ford, Bob Wix, Joe Joseph, Doyle Laughord, Truett Ledbetter, Billy Ennis, Harry Pyatt, Kenneth Cox, and Leroy Iseti.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. John F. Fisher, leader, Mrs. Proshe, assistant leader and the following members of the Camp Fire Group from Immaculate Conception School: Judy Fisher, Mona Donato, Karen Conway, Arlene Proshe, Mary French, Joan Fippin, Barbara Zupan, Shiela Mullins, Jackie Dewsnap, and Georgann Fisher.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Ralph Wieg and the following students from Bret Harte School, Hayward Elementary School District: Lawrence Alvarez, Max Brown, Marvin Brown, Bob Duncan, Pat Judd, Ronald Leister, Eddie Locatelli, Kenny O'Neal, Bill Reinke, Fred Shaughnessy, Stephen Tucker, Betty Anderson, Lorna Beardsley, Donna Branche, Kathleen Clemans, Necia Crump, Jeanette Curtis, Jo Ann Cutteridge, Gladys Fouch, Elaine Gerhardt, Carol Grinnett, Linda Landis, Sandra Pluff, Andrea Poole, Karen Quam, Deanna Reina, Grace Ritter, Anne Robinson, Vivian Tanghe, Louise Ulrich, Donna Waid, Diane Shaffer, Gene Angus, Bill Brown, Arthur Cabral, Kenneth Gretler, Jerry Lundgren, Edwin McIntyre, Jim McRice, David Plummer, Bunice Putman, Richard Rosvall, Chan Shumate, Donald Sutherlin, Ralph Thompson, Jack Vierra, Morris Welborn, James



Williams, Alice Boyce, Mary Clifford, Joan Fallavena, Jo Ann Finley, Jean Fowler, Patricia Irish, Janice Kilgore, Susan Paul, Donna Peterson, Gwen Peterson, Gayle Roberts, Barbara Rodrigues, Charleen Rothe, Susan Stamp, Diane Williamson, Loueen Wyatt, and Marleen Vorhees.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmer Larsen of Stockton.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Blue Angels Senior Scout Flight No. 6 of Menlo Park: Mrs. Penny Edwards, leader, Ann Arnold, Pat Barr, Carolyn Binsfield, Shirley Caletti, Carol Hampton, Frances Harza, Carolyn Johnson, Paula Lawson, Lois Lee, Millicent Mills, Jean Mort, and Diane Wickstrom.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edwin Loudon, teacher, Mrs. Wacker and the following students of the Yreka High School: Mima Mills, Averill Roberts, Mary Lyn Ley, Virginia Isom, Nannet Cole, Mike Crebbin, Charles Russell, Gerald Cunningham, Larry McMinimiee, Lyle Stockwell, Pat Martin, Billie Spencer, Johanna Gibbons, Joan Zolsky, Carol Phillips, Gwen Robinson, Marilyn Burns, Eleanor Walter, Gordon Nixon, Johny Wacker, Joan Silva, Delores Silva, Joanne Deas, Lee Deter, Court Camblin, Inez Michelin, Karen Johnson, and Louise Hughes.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jack E. Lindsey, AMVETS Auxiliary State President, San Diego.

#### CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

**Senate Bill No. 558**--An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

#### Motion to Set Special Order

Continued on second reading file on motion of Senator McCarthy. Set for special order for Tuesday, April 14, 1953, at 2:30 p.m.

**Senate Bill No. 1322**--An act to amend Section 802 of the Agricultural Code, relating to sugar content of grapes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Senate March 2, 1953, strike out "Section 802", and insert "Sections 802.3 and 802.6".

##### Amendment No. 2

In line 2 of the title, strike out "sugar content", and insert "the marketing".

## Amendment No. 3

On page 1, line 1, strike out "802", and insert "802.3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

## Amendment No. 4

On page 1, strike out line 3, and insert

"802.3. All containers of grapes, shall bear upon them in plain sight and in plain letters on one outside end all of the following information:

(a) The name of the person who first authorized the packing of the grapes or the name under which he is engaged in business.

(b) A sufficiently explicit address to permit ready location of such person.

(c) The name of the variety of grapes, if known, and when not known, the words "unknown variety" or when two or more varieties are placed in the same container, the words "mixed varieties."

[The provisions of this section do not apply to picking boxes which are not closed and which have a capacity of 50 pounds or more of grapes.]

SEC. 2. Section 802.6 of said code is amended to read:

802.6. All grapes [intended for shipment out of the State of California] shall be placed in standard containers numbers 1, 1B, 1C, 2, 5, 6, 7, 8, 9, 9A, 28, 29, 30A, 37A, 37B, 37C, 37D, 37E, 37F, 37G, 38H, 38I, 38J, 49, and 50 subject to the restrictions and additions specified in this chapter. Except as otherwise designated, all such containers shall be considered as standard for grapes when packed with or without pads, inner-liners, or other device which does not reduce the inside volume of the container by more than 10 percent; provided, that the vacant spaces, if any, resulting from the use of such device are readily visible.

The depth dimension of containers, exclusive of cleats, designated for grapes in this chapter shall apply only to the depth of the head of each such container.

Containers designated as 37A, 37B, 37C, 37D, 37E, 37F and 37G shall be standard for grapes when used without cleats or with any one of the following defined cleats attached to the top of each end piece; however, no such container shall be less than 47 $\frac{1}{16}$  nor more than 61 $\frac{9}{16}$  inches in depth, including the depth of a cleat on each end.

1. Cleat  $\frac{3}{4}$  inch depth and  $\frac{11}{16}$  inch width.
2. Cleat  $\frac{1}{2}$  inch depth and  $\frac{11}{16}$  inch width.
3. Cleat  $\frac{1}{8}$  inch depth and  $\frac{11}{16}$  or  $\frac{1}{2}$  or  $1\frac{1}{8}$  inch width.
4. Cleat  $\frac{3}{4}$  inch depth.
5. Cleat  $\frac{1}{2}$  inch depth and  $\frac{11}{16}$  inch width.

Only the depth measurement of these cleats shall be used to increase the depth measurements of the container.

Containers designated as 5, 6, 7, 8, 9, 9A, 30A, 38H, 38I and 38J shall be standard for grapes when used with or without any style of cleat providing the sides of the container are not placed above the container head.

Containers numbers 28, 29, 49 and 50 shall be standard for grapes only when (1) containing grapes packed in sawdust, cork or similar packing material in sufficient amount to completely surround and cover the grapes and (2) used without cleats.

Containers numbers 30A and 38H shall be standard for grapes only when containing bunches which are (1) individually wrapped in paper or other protective wrapping material and (2) packed in excelsior or other similar packing material.

Container number 37G shall also be considered standard for grapes when each head piece is beveled across each bottom corner at an angle of 45 degrees, starting two inches from each such corner, and bottom slats are attached to each bevel, so as to affect the contour of the box. This container may or may not also be notched at the center of the base by a triangle with a base of four inches and an altitude of two inches. If notched, bottom slats shall be attached to each side of the notch, in addition to each bevel.

Containers designated as 37D, 37F and 37G shall also be considered standard for grapes when constructed as display lugs defined herein and subject to the following restrictions. No other container shall be considered standard for grapes when so constructed.

Standard Display Lug: Container 37G when constructed as a "display lug" shall have a 5 $\frac{1}{2}$  inch head (1) "slotted" 1 $\frac{1}{4}$  inches or less from the top or (2) consisting of a top piece 1 $\frac{1}{4}$  inches deep nailed or fastened to a bottom piece 4 $\frac{1}{2}$  inches in depth, and shall be used without a cleat or cleats; however, when a pad filler is placed in the bottom of the container a  $\frac{3}{4}$  or  $\frac{1}{2}$  inch cleat may be placed on each end of the container on top of the head in such a manner as to add  $\frac{1}{2}$  or  $\frac{1}{4}$  of an inch to the height of each end piece.

Special Display Lug: Container 37F when constructed as a "display lug" shall have a 5 $\frac{1}{2}$  inch head (1) "slotted" 1 $\frac{1}{4}$  inches or less from the top or (2) consisting of a top

piece 1½ inches deep nailed or fastened to a bottom piece 4½ inches in depth, and shall be used without a cleat or cleats.

Special Display Lug: Container 37D when constructed as a "display lug" shall have a 5½ inch head (1) "slotted" 1½ inches or less from the top or (2) consisting of a top piece 1½ inches deep nailed or fastened to a bottom piece 3½ inches in depth, with or without a ½ inch cleat making a total depth of 5½ or 5¾ inches.

The term "display lug" shall mean a lug with a two-piece or slotted head (with or without cleats) and sides consisting of two pieces, constructed in such a manner that when packed with grapes and lidded, an entire upper section of the lug together with the lid, can readily be removed, thereby displaying the grapes."

#### Amendment No. 5

On page 1 strike out lines 4 to 25, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**Senate Bill No. 1698**—An act to add Section 207.6 to the Agricultural Code, relating to payment by the State for diseased animals destroyed.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

##### Amendment No. 1

On page 1, line 11, of the printed bill, after "members", insert "qualified in determining animal or poultry values".

##### Amendment No. 2

On page 1, after line 14, insert

"The provisions of this section shall be effective until the ninety-first day after final adjournment of the 1957 Regular Session of the State Legislature."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**Senate Bill No. 302**—An act to amend Section 479 of the Agricultural Code, relating to the labeling of market milk.

Bill read second time, ordered engrossed, and to third reading.

#### ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Senate Bill No. 607 carries an appropriation.

The President ordered Senate Bill No. 607 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

#### UNFINISHED BUSINESS

##### Consideration of Assembly Amendments

**Senate Bill No. 87**—An act relating to assessments of water conservation districts in Santa Clara County, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 87?

##### Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in Senate March 19, 1953, and insert

"An act relating to assessments of water conservation districts in Santa Clara County, and declaring the urgency".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Any other provisions of law notwithstanding, in water conservation districts organized or operating under the provisions of the Water Conservation Act of 1931 and located in Santa Clara County the regular yearly assessments to raise funds for district purposes may be at a rate not to exceed two and one-half ( $2\frac{1}{2}$ ) mills on each one hundred (100) cents of the assessed values of the lands within the district according to the last assessment rolls, such regular assessments to be exclusive of assessments for the payment of special assessments or for the payment of bonds, which special assessments and bonds have been voted upon and authorized according to law.

SEC. 2. The Legislature hereby finds and declares that there are unique conditions and circumstances, climatic and topographic, within Santa Clara County which necessitate that there be a method whereby water conservation districts in that county may raise additional funds. The heavy demands for water which have been made by the long established and highly productive agricultural industry in Santa Clara County, coupled with the recent droughts in that area, have made it necessary to construct large and numerous water conservation projects in order that the supply of water may more nearly satisfy the demand. Furthermore, Santa Clara County is unique in that it is so located that it has not directly benefited from the large reclamation and irrigation projects which have been undertaken in the Sacramento and San Joaquin Valleys. It must, to a large extent, satisfy its own water requirements. The large projects which have been instituted and constructed by the various water conservation districts in Santa Clara County entail great annual operation and maintenance expenses, and this act provides a means for the raising of sufficient funds to meet the unique expenses of water conservation districts in Santa Clara County."

**Amendment No. 3**

On page 1, strike out lines 2 to 25, inclusive; and on page 2, strike out lines 1 to 24, inclusive.

**Amendment No. 4**

On page 2, line 25, strike out "2.", and insert "3."

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Thompson moved a call of the Senate.

Motion carried. Time, 1.50 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE  
CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)**

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 266 be placed on the inactive file.

Motion carried.

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 542 be placed on the inactive file.

Motion carried.

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.



**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 799 be placed on the inactive file.

Motion carried.

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to public shooting grounds.

**Motion to Refer Bill to Inactive File**

Senator Williams moved that Senate Bill No. 800 be placed on the inactive file.

Motion carried.

**MOTIONS TO RECONSIDER**

Senator O'Gara moved to reconsider the vote whereby the amendment proposed by the Committee on Finance was adopted. Motion to reconsider continued to next legislative day. Senate Bill No. 558 was continued on second reading file on motion of Senator McCarthy.

**Postponement of Reconsideration**

Senator O'Gara moved that his motion to reconsider the vote whereby the proposed amendment from the Committee on Finance was adopted, be continued to the next legislative day.

The roll was called, and the motion carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.  
**NOES**—None.

**Assembly Bill No. 2039**—An act to repeal Section 31007 of the Water Code, to amend and renumber Section 31006 of said code as amended and renumbered by Chapter 1114 of the Statutes of 1949 to be Section 31007 of said code, and to amend Section 31500 of said code, relating to the powers and purposes of county water districts.

**Motion to Reconsider Waived**

Senator Grunsky waived his motion to reconsider the vote whereby Assembly Bill No. 2039 was passed.

Assembly Bill No. 2039 ordered transmitted to the Assembly.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 956**—An act to amend Section 162 of the Probate Code, relating to payment of interest on legacies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Joint Resolution No. 27**—Relative to the reclamation of arable land in the Lower Klamath Lake area.

**Request for Unanimous Consent**

Senator Collier asked for, and was granted, unanimous consent to have Senate Joint Resolution No. 27 passed on file and retain its place on file.

**Senate Bill No. 757**—An act to add Part 7 to Division 5 of the Labor Code, comprising Sections 7800 to 7804, inclusive, relating to flammable substances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1093**—An act to add Section 194.5 to the Streets and Highways Code, and to add Section 11005.5 to the Revenue and Taxation Code, relating to the allocation of funds to inactive cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 1.55 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Senate Bill No. 812**—An act to add Section 53024 to the Government Code, relating to retirement of firemen in cities, counties, or fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Montgomery, Parkman, Powers, Regan, Thompson, Way, Weybret, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Bill No. 153**—An act to amend Section 4165 of the Public Resources Code, relating to disposal of inflammable waste material.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Burns, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Kraft Presiding**

At 2 p.m., Senator Fred H. Kraft of the Fortieth District, presiding.

**Senate Bill No. 155**—An act to amend Sections 4155 and 4156 of, and to add Section 4158 to the Public Resources Code, relating to fire fighting equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 207**—An act to add Article 4, comprising Section 53260, to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, relating to firemen's hours of employment.

Bill read third time.

**Motion to Re-refer Senate Bill No. 207**

Senator Montgomery moved that Senate Bill No. 207 be re-referred to Committee on Local Government.

Motion carried.

**Senate Bill No. 1075**—An act to amend Sections 1090, 1091, 1092, 36525, 36526 and 36527 of the Government Code, relating to contracts of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—28.  
 NOES—None.

**Motion to Reconsider**

Senator Ward moved to reconsider the vote whereby Senate Bill No. 1075 was passed.

The roll was called, and Senate Bill No. 1075 reconsidered by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—28.  
 NOES—None.

**Further Consideration of Senate Bill No. 1075**

**Motion to Amend**

Senator Ward moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in Senate April 10, 1953, strike out "township", and insert "judicial district."

**Amendment No. 2**

On page 1, line 6, strike out "township", and insert "judicial district."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 456**—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 734**—An act to amend Section 5227 of the Business and Professions Code, relating to the regulation of outdoor advertising.

**Motion to Re-refer Senate Bill No. 734**

Senator Burns moved that Senate Bill No. 734 be re-referred to Committee on Business and Professions.

Motion carried.

**Senate Bill No. 618**—An act to amend Sections 19800 and 19803 of the Business and Professions Code, relating to weights of bread.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 199**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Senate April 10, 1953, after "2137.1", insert "and to repeal Sections 2175, 2175.1, and 2176".

**Amendment No. 2**

On page 1, strike out line 24.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 411**—An act to repeal Section 9561 of, and to add Sections 9505.3, 9533.5, 9533.6, 9541.2, and 9551.5 to, and to amend Sections 9501, 9502, 9506, 9540.7, 9580, and 9590 of, the Business and Professions Code, relating to the regulation of the dry cleaning industry.

Bill read third time.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1769**—An act to add Section 2553.1 to the Business and Professions Code, relating to dispensing opticians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.  
**NOES**—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 2.24 p.m., on motion of Senator Thompson, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the Senate concurred in Assembly amendments to Senate Bill No. 87 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.  
**NOES**—None.

Senate Bill No. 87 ordered to enrollment.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 2.26 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

#### PROCEEDINGS UNDER CALL OF THE SENATE CONSIDERATION OF DAILY FILE (RESUMED)

#### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1247**—An act to amend Sections 5313, 5315, 5800.5, and 5908.5 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.  
**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1248**—An act to amend Section 5708 of the Labor Code, relating to hearings and investigations in workmen's compensation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1393**—An act to amend Section 22616 of the Financial Code, relating to contracts entered into by personal property brokers.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1394**—An act to amend Section 22210 of the Financial Code, relating to the withdrawal of an application for a license under the Personal Property Brokers Law.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1398**—An act to amend Section 24610 of the Financial Code, relating to contracts entered into by licensees under the California Small Loan Law.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1401**—An act to amend Sections 18203 and 18206 of the Financial Code, relating to paid-in and unimpaired capital of an industrial loan company.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1402**—An act to amend Section 24210 of the Financial Code, relating to the withdrawal of an application for a license under the California Small Loan Law.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1048**—An act to add Section 10291.6 to the Insurance Code, relating to disability insurance.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 627**—An act to amend Section 13 of the Municipal and Justice Court Act of 1949 (Chapter 1510 of the Statutes of 1949) and Section 71140 of the Government Code, relating to constables in justice courts.

Bill read third time, and presented by Senator Dorsey.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1395**—An act to amend Section 25100 of the Corporations Code, relating to the execution, filing and recording of certificates of general and limited partnership.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 455**—An act to amend Section 1590 of the Financial Code, relating to the business of receiving and holding money in escrow and of acting as trustee under deeds of trust.

Bill read third time, and presented by Senator Regan.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 18**—Relative to requesting the Department of Public Works to obtain permission from appropriate military authorities for the traversing of certain military establishments with respect to the relocation of State Highway Route 56 and to investigate means of joint financing of such relocation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Weybret, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 490**—An act to amend Section 373 of the Elections Code, relating to indexes of registration, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—33.

NOES—None.

#### Motion to Reconsider

Senator Burns moved to reconsider the vote whereby Assembly Bill No. 490 was passed.

#### Postponement of Reconsideration

On motion of Senator Burns, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 490 was passed, was continued until the next legislative day.

Assistant Secretary Lachlan MacFarlane Richards, Jr., at the Desk

**Assembly Bill No. 1343**—An act to amend Sections 1364 and 1366 of the Financial Code, relating to legal investments for savings banks.

Bill read third time, and presented by Senator O'Gara.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, and Weybret—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Constitutional Amendment No. 20**—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding Section 8.1 to Article XI of said Constitution, relating to the framing of the charter by the City of Vernon, in the County of Los Angeles.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 83**—An act making an appropriation for family care of patients, Department of Mental Hygiene, to take effect immediately.

Bill read third time, and presented by Senator Hulse.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 83:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO, March 23, 1953

*To the Honorable Members of the Senate  
Sacramento, California*

GENTLEMEN:

**Assembly Bill No. 83**, "An act making an appropriation for family care of patients, Department of Mental Hygiene, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the budget bill.

The number of cases available for release on family care at our state hospitals has exceeded the anticipated number at the time the current budget was prepared. This program of family care effects real economy for the State and, in my opinion, justifies additional financing to the extent it is possible to place patients in the care of outside families.

I therefore recommend consideration of Assembly Bill No. 83 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 697**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and presented by Senator Donnelly.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.25 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 944**—An act to amend Section 5416 of the Health and Safety Code, relating to sanitary conditions at construction sites.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 968**—An act to amend Sections 11555, 11556, and 11557 of the Health and Safety Code, relating to the regulation and control of narcotics.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, O'Gara, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.  
 NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1275**—An act amending Section 29610 of the Government Code, relating to convention expenses of public officers.

Bill read third time, and presented by Senator Breed.

The roll was called.

**Call of the Senate**

Pending the announcement of the vote, Senator Breed moved that the quorum call of the Senate be applied to final passage of Assembly Bill No. 1275.

Motion carried. Time: 3.41 p.m.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE**

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 533**—An act to amend Section 1362 of the Financial Code, relating to investment of funds of savings banks in district bonds, and declaring the urgency thereof.

Bill read third time, and presented by Senator Hoffman.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, McCarthy, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Montgomery, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2739**—An act to add Section 2.5 to the Judges' Retirement Fund Act (Chapter 771 of the Statutes of 1937), and to add Section 75107.5 to the Government Code, relating to the state contributions to the Judges' Retirement Fund.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McCarthy, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 647**—An act to amend Sections 18527, 18935, 18950, 18953, 18974.5, 18975, 19120, 19253, 19302, and 19681 of the Government Code, relating to state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 102**—An act to amend Section 7400 of the Business and Professions Code, relating to cosmetology students.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1372**—An act to add Section 2327 to the Business and Professions Code, relating to the healing arts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Kraft.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.  
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1976**—An act to amend Section 6945 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Burns Presiding**

At 4 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

**Assembly Bill No. 1975**—An act to amend Section 7686 of the Business and Professions Code, relating to administrative procedure of the State Board of Funeral Directors and Embalmers.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—33.  
NOES—None.

Bill ordered transmitted to the Assembly.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Grunsky moved that Senate Bill No. 642 be taken from the inactive file and be re-referred to Committee on Judiciary.

Motion carried.

**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator Dilworth moved that Senate Bill No. 569 be taken from the inactive file and placed on the second reading file.

Motion carried.



**MOTION TO TAKE BILL FROM THE INACTIVE FILE**

Senator McBride moved that Senate Bill No. 1713 be taken from the inactive file and placed on the second reading file.

Motion carried.

**PERMISSION TO INTRODUCE BILL**

The following request for permission to introduce a bill was presented :

By Senator Byrne :

**Request for Permission to Introduce a Bill**

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 2015 to the Fish and Game Code, relating to employees of the Department of Fish and Game.

Respectfully submitted,

SENATOR PAUL L. BYRNE

**Recommendation of Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 13, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

AYES—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Kraft, Miller, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time :

**Senate Bill No. 1951:** By Senator Byrne—An act to add Section 2015 to the Fish and Game Code, relating to employees of the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Senate Concurrent Resolution No. 56:** By Senators Abshire, McCarthy, Coombs, O'Gara, Way, Busch, and Collier—Relative to renaming the highway between Santa Rosa and Ignacio "Valley of the Moon Scenic Route."

Referred to Committee on Transportation.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred :

Senate Resolution No. 101

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

**Request for Unanimous Consent**

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Resolution No. 101, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 101

## Senate Resolution No. 101

Relating to Congratulating the Peter Meremblum  
California Junior Symphony Orchestra

WHEREAS, The Peter Meremblum California Junior Symphony Orchestra is celebrating its fifteenth anniversary at a concert to be held on April 15, 1953; and

WHEREAS, This junior symphony orchestra has provided a vast amount of entertainment and pleasure to symphonic music lovers throughout Southern California; and

WHEREAS, Peter Meremblum, its founder and conductor, has through this orchestra offered to children having musical ability, the opportunity of being heard by others and of gaining experience in concert performance; and

WHEREAS, Over 3,000 potential orchestral players have been trained by Mr. Meremblum during the 15 year period that the California Junior Symphony Orchestra has been in existence, many of such players having gone on to successful professional careers; and

WHEREAS, This orchestra is not sponsored by any group but has been maintained by Mr. Meremblum and by contributions made to the orchestra when it has played at public events; now, therefore be it

*Resolved by the Senate of the State of California*, That the members take this opportunity to congratulate Mr. Peter Meremblum and the members of the Peter Meremblum California Junior Symphony Orchestra on the fifteenth anniversary of its founding and to commend Mr. Meremblum for his fine work in giving children the opportunity to engage in this splendid activity; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a suitably engrossed copy of this resolution to Mr. Peter Meremblum.

Resolution read, and adopted on motion of Senator Tenney.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4.25 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1275 refused passage by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, McBride, Miller, Montgomery, O'Gara, Tenney, Thompson, and Williams—19.

NOES—Senators Abshire, Busch, Coombs, Desmond, Dilworth, Donnelly, Gibson, Hoffman, Kraft, McCarthy, Parkman, Powers, Sutton, Ward, Way, and Weybret—16.

#### Motion to Reconsider

Senator Breed moved to reconsider the vote whereby Senate Bill No. 1275 was refused passage.

#### Postponement of Reconsideration

On motion of Senator Breed, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1275 was refused passage, was continued until the next legislative day.

#### RESOLUTIONS

The following resolutions were offered:

By Senator Collier:

#### Senate Resolution No. 102

Relating to the establishment of the State Speed Advisory Board by the  
Director of Public Works

WHEREAS, Chapter 6 of Division 9 of the Vehicle Code authorizes the Department of Public Works and local authorities to establish speed zones upon the basis of engineering and traffic investigations; and

WHEREAS, The exercise of this authority has resulted in a lack of uniform policies and standards throughout the State; and

WHEREAS, The ever increasing traffic problems make it desirable and in the interest of the motoring public that there be more uniform policies and standards throughout the State; now, therefore, be it

*Resolved by the Senate of the State of California, That the Director of Public Works is requested to establish an advisory council to be known as The State Speed Advisory Board, whose function it will be to advise the Department of Public Works and local authorities as to policies and standards to be observed by such bodies in establishing speed zones under Sections 511.1 to 512.2, inclusive, of the Vehicle Code, and to review and make recommendations with respect to any specific speed zone established under such provisions; and be it further*

*Resolved, That the State Speed Advisory Board include representatives of the Department of Public Works, the California Highway Patrol, the League of California Cities, the County Supervisors Association, the trucking industry of this State, two or more representatives of the automobile clubs of this State, and such other representatives as the Director of Public Works may deem advisable; and be it further*

*Resolved, That the Secretary of the Senate transmit a copy of this resolution to the Director of Public Works.*

Resolution read, and referred to Committee on Rules.

By Senator Brown:

**Senate Resolution No. 103**

Relating to county highway construction methods in connection with federal aid secondary highway projects

WHEREAS, This Senate is deeply interested in the progress of the counties in executing the federal aid secondary highway program; and

WHEREAS, In the operation of this program there arise from time to time specific projects in which the ability of the county to undertake and to execute the project depends upon its ability to use county equipment and county employees in such work; and

WHEREAS, The use of such county equipment and county employees on such projects in a proper case is permitted both by federal law and by state law; and

WHEREAS, This method of procedure should be available in those unusual cases where it is necessary; and

WHEREAS, The State of Nevada has recently in Assembly Joint Resolution No. 41 of the 1953 session called upon California to cooperate by permitting this method of construction in certain projects badly needed by both California and Nevada, said resolution reading in part as follows:

"WHEREAS, Certain counties in the State of California adjacent to the State of Nevada have been unable to undertake or complete construction or improvement of certain county roads in the State of California which connect with certain Nevada highways; and

"WHEREAS, Material benefits would accrue to the people of both the State of Nevada and the people of the State of California and to the traveling public in general if such county roads in the State of California were constructed or improved; and

"WHEREAS, Such construction or improvement of such roads has heretofore been impossible because of the inavailability of sufficient county funds in such counties with which to match federal aid funds for such projects under certain existing policies which require that such federal aid funds be utilized only on projects for which contracts have been let; and

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the congress of the United States, the legislature of the State of California, the secretary of commerce of the United States, and the commissioner of public roads of the United States be, and they hereby are, memorialized to take such action as may be necessary or appropriate to permit the use of the force account method of utilization of federal aid highway funds by using county forces and county equipment and privately subscribed interstate funds to fulfill the requirement of matching such federal aid highway funds in counties of the state of California which adjoin the state of Nevada;"

Now, therefore, be it resolved by the Senate of the State of California, That the State Department of Public Works is advised that it is the view of this Senate that said department should immediately adopt the policy which will permit counties in proper cases under existing law to use county equipment and county employees in lieu of cash matching with respect to certain federal secondary highway project construction; and be it further

*Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the State Director of Public Works, the State Highway Engineer, the United States Bureau of Public Roads, the Senate of the State of Nevada, the Assembly of the State of Nevada, and the chairman of each county board of supervisors in California.*

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 4  
Assembly Bill No. 1655

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 4**—An act to add Article 4 to Chapter 7 of Division 9 of the Elections Code, relating to the recount of ballots for congressional and state legislative offices.

Referred to Committee on Elections.

**Assembly Bill No. 1655**—An act to amend Section 3352 of the Labor Code, relating to the inclusion of agricultural workers within the Workmen's Compensation Law.

Referred to Committee on Labor.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1551  
Assembly Bill No. 2443

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

**Assembly Bill No. 1551**—An act to add Sections 685, 686, and 687 to the Vehicle Code, relating to the transportation of workmen by truck.

Referred to Committee on Labor.

**Assembly Bill No. 2443**—An act to amend Section 1406 of the Probate Code, relating to the appointment of guardians.

Referred to Committee on Judiciary.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 410

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 494

Senator Gibson moved that Senate Bill No. 494 be withdrawn from Committee on Local Government for purpose of amendment, and referred to committee.

Motion carried.



**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 494**—An act to amend Section 28119 of the Government Code, relating to salaries of officers in counties of the nineteenth class.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 7, and insert "seven thousand two hundred dollars (\$7,200) a year."

**Amendment No. 2**

On page 1, lines 8 and 9, strike out "seven thousand two hundred dollars (\$7,200)", and insert "eight thousand dollars (\$8,000)".

**Amendment No. 3**

On page 1, lines 11 and 12, strike out "and services as road commissioner".

**Amendment No. 4**

On page 1, line 15, strike out "three dollars (\$3)", and insert "five dollars (\$5)".

**Amendment No. 5**

On page 1, lines 17, 18, and 19, strike out "fifteen cents (\$0.15) for each mile traveled in going only, payable only once in any three days.", and insert "ten cents (\$0.10) for each mile traveled one way each day."

**Amendment No. 6**

On page 1, between lines 19 and 20, insert

"(e) Grand jurors, five dollars (\$5) for each day's attendance upon the duly called sessions of the grand jury. In addition, mileage fees shall be allowed grand jurors for attendance at grand jury sessions at the rate of ten cents (\$0.10) for each mile traveled one way each day."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 598**

Senator Miller moved that Senate Bill No. 598 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 598**—An act to repeal Sections 2734, 2827, and 2828 of and to amend Sections 2708, 2718, 2729, 2733, 2736.5, 2738, 2741, 2811, and 2815 of, and to add Sections 2732.1 and 2733.1 to, the Business and Professions Code, relating to the practice of nursing.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In the first line of the title of the printed bill, after "2734.", insert "2813,".

**Amendment No. 2**

In the second line of the title, after "2733.", insert "2736,".

**Amendment No. 3**

On page 1, line 1, after "2734.", insert "2813,".

## Amendment No. 4

On page 2 line 15 strike the "assessing" of "following" "Paragraph" and insert "the following" "Paragraph" "Paragraph".

## Amendment No. 5

On page 3 line 11 after "Paragraph" add "and" and insert "the".

## Amendment No. 6

On page 2 line 14 after "Paragraph" insert "Paragraph".

## Amendment No. 7

On page 2 line 22 strike the "Paragraph" and insert "Paragraph".

## Amendment No. 8

On page 2 line 24 after "Paragraph" insert "Paragraph".

## Amendment No. 9

On page 2 line 25 strike the "Paragraph" and insert "Paragraph".

## Amendment No. 10

On page 2 line 26 after the word "Paragraph" insert "Paragraph".

## Amendment No. 11

On page 2 line 27 after "Paragraph" insert "Paragraph".

On page 2 line 28 after "Paragraph" insert "Paragraph".

On page 2 line 29 after "Paragraph" insert "Paragraph".

On page 2 line 30 after "Paragraph" insert "Paragraph".

On page 2 line 31 after "Paragraph" insert "Paragraph".

## Amendment No. 12

On page 2 line 32 after "Paragraph" insert "Paragraph".

## Amendment No. 13

On page 2 line 33 after "Paragraph" insert "Paragraph".

## Amendment No. 14

On page 2 line 34 after "Paragraph" insert "Paragraph".

## Amendment No. 15

On page 2 line 35 after "Paragraph" insert "Paragraph".

## Amendment No. 16

On page 2 line 36 after "Paragraph" insert "Paragraph".

## Amendment No. 17

On page 2 line 37 after "Paragraph" insert "Paragraph".

## Amendment No. 18

On page 2 line 38 after "Paragraph" insert "Paragraph".

## Amendment No. 19

On page 2 line 39 after "Paragraph" insert "Paragraph".

## Amendment No. 20

On page 2 line 40 after "Paragraph" insert "Paragraph".

## Amendment No. 21

On page 2 line 41 after "Paragraph" insert "Paragraph".

**Amendment No. 22**

On page 5, between lines 18 and 19, insert  
 "(c) The fee to be paid upon the filing of an application for a temporary license is two dollars (\$2)."

**Amendment No. 23**

On page 5, line 19, strike out "(c)", and insert "(d)".

**Amendment No. 24**

On page 5, line 20, after "renewal", strike out the remainder of the line; and strike out all of line 21, and all of line 22 up to but excluding the period, and insert "is two dollars".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 602**

Senator Miller moved that Senate Bill No. 602 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 602** -An act to amend Sections 2866 and 2878 of the Business and Professions Code, relating to the practice of vocational nursing.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 2866 and 2878 of", and insert "Section 2878 of and to add Sections 2878.5 and 2879 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 21, inclusive.

**Amendment No. 3**

On page 2, strike out line 1, and insert  
 "SECTION 1. Section 2878 of the Business and Professions Code is amended to read:":

**Amendment No. 4**

On page 2, strike out line 6, and insert

"(a) Unprofessional conduct, which includes but is not limited to the following:

(1) Incompetence, or gross or repeated negligence in carrying out usual nursing functions.

(2) A conviction of practicing medicine without a license in violation of Chapter 5 of Division 2 of this code, in which event the record of conviction shall be conclusive evidence thereof.

(3) Commission of or aiding and abetting the commission of a crime involving moral turpitude.

(4) The use of advertising relating to nursing which violates Section 17500 of this code."

**Amendment No. 5**

On page 2, strike out lines 19 to 21, inclusive.

**Amendment No. 6**

On page 2, line 22, strike out "(h)", and insert "(g)".

**Amendment No. 7**

On page 2, line 25, strike out "(i)", and insert "(h)".

**Amendment No. 8**

On page 2, line 29, strike out "(j)".

1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 25

*[Faint handwritten notes at the bottom of the page]*

'In 1899 I was 18 and was with "J." and mother'

6. 7. 10-9, 10. 7. 10. 7. 10. 7. 10. 7.

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*Journal of Interpersonal Violence* 26(10) 1978-1997

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know if the study was successful in achieving its objectives and if the results are consistent with their expectations.

... ..

1. The first group of documents in the collection is the "General Information" section, which includes a list of the names of the individuals who were involved in the project, a list of the dates when the project was initiated, and a list of the dates when the project was completed. This section is followed by a list of the names of the individuals who were involved in the project, a list of the dates when the project was initiated, and a list of the dates when the project was completed.

114. The Government of the United States of America, in the name of the President, hereby certifies that the following is a true and correct copy of the original document on file in the Department of State:

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... ..

[illegible]

James M. Smith, Jr., 2001

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 01-28-2001 BY 60322 UCBAW

[illegible]

Nothing in this amendment shall exempt H.R. 3411 or any amendment from consideration as an amendment and conference for purpose of amendment and conference as provided in the committee report.

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THE UNIVERSITY OF CHICAGO

Serials 331 W. 401—A list of serials, including titles, authors, and publishers, arranged alphabetically by author.

*[Faint, illegible text]*

Nov 1911

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L. m., p. v., c. m., f. m.

On June 1, 1960, the Federal Civil Service Commission issued a notice to the United States Postal Service, stating that the Commission had received a request for a license under Section 2877 of the Civil Service Statutes, and that the Commission had determined that the request should be deemed valid and the license granted.

*[Faint, illegible handwritten notes]*

It was then printed and reprinted in Continental of Teachers and  
Teachings.



**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 606**

Senator Miller moved that Senate Bill No. 606 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 606**—An act to amend Section 2761 of, and to add Sections 2762, 2763, and 2764 to, the Business and Professions Code, relating to the practice of nursing.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "shall", and insert "may".

**Amendment No. 2**

On page 1, strike out lines 7 and 8, and insert  
 "(1) Incompetence, or gross or repeated negligence in carrying out usual nursing functions."

**Amendment No. 3**

On page 1, strike out lines 13 and 14.

**Amendment No. 4**

On page 1, line 15, strike out "(4)", and insert "(3)".

**Amendment No. 5**

On page 1, strike out lines 17 to 19, inclusive, and insert  
 "(4) The use of advertising relating to nursing which violates Section 17500 of this code."

**Amendment No. 6**

On page 2, line 32, after "himself," strike out the remainder of the line; and strike out all of line 33 and that portion of line 34 up to but excluding the first comma, and insert "any narcotic as defined in Division 10 of the Health and Safety Code".

**Amendment No. 7**

On page 2, line 35, after "Use", strike out the remainder of the line; and strike out all of line 36 and that portion of line 37 up to but excluding the first comma, and insert "any narcotic as defined in Division 10 of the Health and Safety Code, or any dangerous drug as defined in Division 22 of said code".

**Amendment No. 8**

On page 2, strike out lines 47 to 51, inclusive, and insert  
 "(d) Be committed or confined by a court of competent jurisdiction for intemperate use of or addiction to the use of any of the substances described in subdivisions (a) and (b) of this section, in which event the court order of commitment or confinement is prima facie evidence of such commitment or confinement."

**Amendment No. 9**

On page 3, strike out lines 2 to 15, inclusive, and insert  
 "2763. The board shall suspend the license of any person licensed under this chapter who is so mentally ill as to be unable to carry on with safety to the public the practice authorized by his license. In the event the person has been adjudged by a court of competent jurisdiction to be insane or mentally ill, the record of such adjudication shall be prima facie evidence that the person is mentally ill within the meaning of this section. The board shall not reinstate a license which has been suspended under this section except upon proof that the licensee has been restored to such mental condition as to be capable of carrying on with safety to the public the practice authorized by his license."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 737**

Senator Burns moved that Senate Bill No. 737 be withdrawn from Committee on Governmental Efficiency for purpose of amendment and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 737**—An act to amend Section 9411 of the Government Code, relating to legislative committees.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, strike out "of such refusal", and insert "on which the contempt is committed".

**Amendment No. 2**

On page 1, line 17, strike out "so refusing", and insert "in contempt".

**Amendment No. 3**

On page 1, line 19, strike out "refusal", and insert "contempt".

**Amendment No. 4**

On page 1, line 25, strike out "refusal", and insert "contempt".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1182**

Senator Miller moved that Senate Bill No. 1182 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1182**—An act to amend Section 2786 of the Business and Professions Code, relating to nursing education.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1183**

Senator Miller moved that Senate Bill No. 1183 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1183**—An act to add Chapter 6.6 to Division 2 of the Business and Professions Code, relating to psychiatric technicians.

Bill read second time.

**Motion to Amend**

Senator Miller moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 34, of the printed bill, as amended in Senate, March 20, 1953, after "code", insert "and who have had at least 5 years' experience in the practice of psychiatry".

**Amendment No. 2**

On page 2, line 43, after "employ", insert "consultants,".

**Amendment No. 3**

On page 2, line 44, strike out "and such", and insert a comma.

**Amendment No. 4**

On page 2, line 44, after "assistants", insert "and such other personnel".

**Amendment No. 5**

On page 3, line 35, strike out "indicated", and insert "declared his".

**Amendment No. 6**

On page 3, line 36, after the period, insert "A statement by the applicant under oath that he is a citizen or that he intends to apply for citizenship when he becomes eligible to make such application shall be sufficient proof of compliance with this subdivision."

**Amendment No. 7**

On page 3, line 42, after "grade", insert "or the equivalent thereof as determined by the board".

**Amendment No. 8**

On page 3, line 51, strike out "2910", and insert "2905".

**Amendment No. 9**

On page 4, line 3, strike out "Prior to July 1, 1955, any", and insert "Any".

**Amendment No. 10**

On page 4, line 5, strike out "may", and insert "shall".

**Amendment No. 11**

On page 4, between lines 16 and 17, insert "2915.5. Prior to July 1, 1955, any person who meets the provisions of (a), (b), and (c) of Section 2910 of this code shall be licensed as a psychiatric technician under the provisions of this chapter."

**Amendment No. 12**

On page 4, line 25, strike out "2617", and insert "2917".

**Amendment No. 13**

On page 5, line 12, strike out the semicolon and insert ", which includes but is not limited to the following:

(1) Incompetence, or gross or repeated negligence in carrying out usual nursing functions.

(2) A conviction of practicing medicine without a license in violation of Chapter 5 of Division 2 of this code, in which event the record of conviction shall be conclusive evidence thereof;

(3) Commission of or aiding and abetting the commission of a crime involving moral turpitude."

**Amendment No. 14**

On page 5, strike out lines 13 to 41, inclusive.

**Amendment No. 15**

On page 5, between lines 41 and 42, insert "2924. In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct to do any of the following:

(a) Prescribe for, or except as directed by a licensed physician and surgeon administer to himself, any narcotic defined in Division 10 of the Health and Safety Code;

(b) Use any narcotic defined in Division 10 of the Health and Safety Code or any dangerous drug as defined in Division 22 of said code, or alcoholic beverages to an

extent or in a manner dangerous or injurious to himself, any other person, or the public, or to the extent that such use impairs his ability to conduct with safety to the public the practice authorized by his license;

(c) Be convicted of a criminal offense involving the prescription, consumption, or self administration of any of the substances described in subdivisions (a) and (b) of this section, in which event the record of the conviction is conclusive evidence thereof;

(d) Be committed or confined by a court of competent jurisdiction for intemperate use of or addiction to the use of any of the substances described in subdivisions (a) and (b) of this section, in which event the court order of commitment or confinement is prima facie evidence of such commitment or confinement.

2925. The board shall suspend the license of any person licensed under this chapter who is so mentally ill as to be unable to carry on with safety to the public the practice authorized by his license. In the event the person has been adjudged by a court of competent jurisdiction to be insane or mentally ill, the record of such adjudication shall be prima facie evidence that the person is mentally ill within the meaning of this section. The board shall not reinstate a license which has been suspended under this section except upon proof that the licensee had been restored to such mental condition as to be capable of carrying on with safety to the public the practice authorized by his license."

#### Amendment No. 16

On page 6, line 4, after the first comma, insert "mentally deficient, or mentally disordered,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1367

Senator Dilworth moved that Senate Bill No. 1367 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1367**—An act to add Chapter 2 to Division 7 of the Education Code, and to amend Sections 13521 and 13526 of said code, relating to school district employees.

Bill read second time.

#### Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed bill, between lines 45 and 46, insert

"The Legislature further specifically finds that an indirect or evasive answer or an answer which neither affirms nor denies shall, for the purposes of this act and chapter, be considered as a failure and refusal to answer, regardless of the ground or explanation given for any such answer."

#### Amendment No. 2

On page 3, line 5, strike out "one year", and insert "five years".

#### Amendment No. 3

On page 3, line 32, after "Present", insert "knowing".

#### Amendment No. 4

On page 3, line 35, strike out "membership", and insert "knowing membership within five years prior to the effective date of this section".

#### Amendment No. 5

On page 3, strike out lines 39 to 43, inclusive.

#### Amendment No. 6

On page 3, line 44, strike out "(e)", and insert "(d)".



**Amendment No. 7**

On page 3, line 45, strike out "of", and insert "prior to".

**Amendment No. 8**

On page 4, line 3, strike out "or the superintendent of schools".

**Amendment No. 9**

On page 4, line 10, after "Present", insert "knowing".

**Amendment No. 10**

On page 4, line 13, strike out "membership", and insert "knowing membership within five years prior to the effective date of this section".

**Amendment No. 11**

On page 4, strike out lines 17 to 21, inclusive.

**Amendment No. 12**

On page 4, line 22, strike out "(e)", and insert "(d)".

**Amendment No. 13**

On page 4, line 23, strike out "of", and insert "prior to".

**Amendment No. 14**

On page 4, line 30, after "the", insert "suspension and".

**Amendment No. 15**

On page 5, line 7, strike out the period, and insert "or conduct specified in Section 1028 of the Government Code, added by Chapter 1418 of the Statutes of 1947."

**Amendment No. 16**

On page 5, line 29, strike out the period, and insert "and shall suspend and dismiss employees who fail or refuse to answer the pertinent questions specified in this act."

**Amendment No. 17**

On page 5, line 34, after "effective", insert "to the extent it is consistent with this act".

**Amendment No. 18**

On page 5, after line 36, insert

"Sec. 5. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1482**

Senator Cunningham moved that Senate Bill No. 1482 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1482**—An act to amend Section 6902.5 of the Labor Code, a section adopted by an initiative act, relating to safeguards on railroads, said amendment to take effect upon approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "of", insert "flagmen and".

**Amendment No. 2**

On page 1, line 8, after "brakemen", strike out "and flagmen".

**Amendment No. 3**

On page 1, line 13, after "than", insert "one flagman and".

**Amendment No. 4**

On page 1, line 13, after "brakemen", strike out "and one flagman".

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Labor.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1585**

Senator Hulse moved that Senate Bill No. 1585 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1585**—An act to amend Sections 19620.1, 19622, and 19626 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

**Motion to Amend**

Senator Hulse moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 19620.1, 19622, and 19626", and insert "Section 19620.1".

**Amendment No. 2**

On page 1, in line 1 of the printed bill, strike out "Sections 19620.1, 19622 and 19626", and insert "Section 19620.1".

**Amendment No. 3**

On page 1, in line 2, strike out "are", and insert "is".

**Amendment No. 4**

On page 1, strike out line 7, and insert "fund."

During the 1953-54 Fiscal Year and in each of the three fiscal years immediately thereafter there shall be appropriated from the State College Fund to the Department of Education the sum of six hundred thousand dollars (\$600,000) for the purchase of land, permanent improvements and support of a state college of agriculture, either as a separate institution or as a branch of the California State Polytechnic College to be located in Imperial County, California."

**Amendment No. 5**

On page 1, strike out lines 8 to 27; and on page 2, strike out lines 1 to 32.

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1950**

Senator Way moved that Senate Bill No. 1950 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1950**—An act making an appropriation to the Department of Public Works relating to repair and restoration of county roads and bridges, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Way moved the adoption of the following amendment :

**Amendment No. 1**

On page 1, lines 1 and 2, of the printed bill, strike out "one hundred sixty-three thousand seven hundred fifty dollars (\$163,750)", and insert "one hundred seventy-one thousand eight hundred seventy-five dollars (\$171,875)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 199

Senate Bill No. 1093

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 207

Senate Bill No. 411

Senate Bill No. 499

Senate Bill No. 501

Senate Bill No. 607

Senate Bill No. 618

Senate Bill No. 1075

Senate Bill No. 1247

Senate Bill No. 1248

Senate Bill No. 1435

Senate Bill No. 1727

Senate Bill No. 1769

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT : The Committee on Rules has examined :

**Senate Bill No. 393**—An act to amend Sections 6140 and 6141 of the Business and Professions Code, relating to membership fees in the State Bar ;

**Senate Bill No. 702**—An act to add Sections 981.6, 981.8, and 981.14 to the Military and Veterans Code, relating to educational benefits for veterans, declaring the urgency thereof, to take effect immediately ;

**Senate Bill No. 789**—An act to amend Section 581 of the Code of Civil Procedure, relating to dismissal of actions ;

**Senate Bill No. 1021**—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories ;

**Senate Bill No. 1605**—An act to repeal Section 1552.4 of the Welfare and Institutions Code and to add Section 1552.4 to said code, relating to aid to needy children ;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT : The Committee on Rules has examined :

Senate Bill No. 456

Senate Bill No. 734

Senate Bill No. 1336

And reports the same correctly engrossed.

POWERS, Chairman

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Joint Resolution No. 1

Senate Joint Resolution No. 3

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; absent 2.

WILLIAMS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 429

Senate Bill No. 1743

Senate Bill No. 1257

Senate Bill No. 1798

Senate Bill No. 1545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

WILLIAMS, Chairman

Above reported bills ordered to second reading.

**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 439

Assembly Bill No. 443

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 425

Assembly Bill No. 436

Assembly Bill No. 441

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 1178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 38

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.



SENATE CHAMBER, SACRAMENTO, April 10, 1953

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred: Senate Bill No. 76

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Assembly Bill No. 985

Assembly Bill No. 1983

Assembly Bill No. 1052

Assembly Bill No. 2867

Assembly Bill No. 1982

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

SUTTON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 547

Senate Bill No. 946

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 633

Assembly Bill No. 634

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

TENNEY, Chairman

Above reported bills ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 960

Senate Bill No. 961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1255

Assembly Bill No. 1965

Assembly Bill No. 1964

Assembly Bill No. 1990

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bills ordered to second reading.

**MOTION TO APPROVE JOURNALS**

Senator Powers moved that the Senate Journals for Monday, April 6, 1953; Tuesday, April 7, 1953; Wednesday, April 8, 1953; Thursday, April 9, 1953; and Friday, April 10, 1953, be approved as corrected by the Minute Clerk and Journal Clerk.

Motion carried.

**ADJOURNMENT**

At 4.36 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Tuesday, April 14, 1953.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

SIXTY-THIRD CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO  
Tuesday, April 14, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—38.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Montgomery, on motion of Senator Powers, due to legislative business.

### MOTION TO PRINT PRAYER

Senator Donnelly moved that the following prayer offered by the Chaplain, Monday, April 13, 1953, be printed in the Journal.

Motion carried.

### PRAYER

Lord Our God: Make us truly tolerant of the opinions of others. May we make every effort to understand and appreciate the beliefs, practices, and habits of our fellow men, never try to force them to conform to our wishes and ideas, and thus avoid the risk of violating those rights so dear to our hearts. May we never forget one of the greatest expressions of tolerance: "I disapprove of what you say, but I will defend to the death your right to say it."—AMEN.

**GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR**

On request of Senator Byrne, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Stanley Gray of Chico.

On request of Senators Busch and Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Tom Harris of Ukiah.

On request of Senators Desmond and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Roy E. Dickson, formerly of Sacramento, now residents of Los Angeles.

On request of Senator Grunsky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Eugene Haskell, Superintendent, San Lorenzo Valley Unified School District, and the following members of the Leadership Training Group: George Barling, Walter Carlsen, Anna Mae Duprel, Elaine Fink, Mary Jo Gleason, Orland Hill, Earl Levin, Kent Ludlow, Roberta Meyer, Barbara Pearson, Mary Ellen Ryan, Bob Strickland, Larry Winkler, Jimmy Bridgeman, Marion Craig, Carol Duprel, Frank Fordyce, David Hassel, Carol Koenig, Albert Locatelli, Lola Marks, Joyce Montanari, Larry Roekner, Martha Slankard, Kim Williams, Claudette Hicks, Barbara Bunyard, Carlene Dalbee, Robert Feathers, Shirley Gho, Don Hicks, Steve Larsen, Paul Locatelli, Larry McKibben, Marcy Nelson, Evelyn Rolff, and Daphne Wilson.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor Earl Shortgen of Fortuna and Supervisor Irwin Hadley of Eureka.

On request of Senators Burns, Desmond, and Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Betty Jeane Hoilien of Sacramento.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pat Kennedy, Phyllis de Spiganoviez, Joelle Beyrle, Marilyn Schoettler, all of Oakland.

On request of Senators McCarthy and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles Graham, Vice President of Sacramento Baseball Club.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Milton Sapiro, Judge of the Superior Court, San Francisco.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arch Hocking of San Jose and Raymond G. Callaghan of San Jose.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Robert Cromwell of Bishop; Mr. and Mrs. West Curl of Redding; Virginia Timmons and Juanita Dibble of Redding; Mary Clark of Covelo; Ellen Norris of Klamath; F. G. Collett and Dewey Conway of Chico.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Father Francis Callahan, S.J., Moderator, and the following members of St. Ives Law Club of the University of San Francisco: Richard Lucas, Chancellor; Richard



Nachtsheim, Recorder; Robert Churton, Bursar; Jack Connelly, Gerald Dalton, Edward McFetridge, Fermin Ramos, Rick Arellano, Gerald Desmond, Gerald Killian, William Saake, William Sheehan, Noel Sullivan, and John Van de Poel.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Young People's Department of Fresno County Farm Bureau: Miss Collings, Helen Correia, Tim Crabtree, Ernestine Hartman, Larry Jamison, Jimmie McQuiston, Roy Meade, Henry Metzler, Mary Phillips, Alvin Quist, Mary Quist, Stanley Schtelewitz, Barbara Smith, Evelyn Whiting, Dick Whiting, and Florence Wridge.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Mrs. Anne Soderstrom; parents, Mrs. M. Machado, Mrs. L. Souza, Mrs. L. Thomas, Mrs. J. Mello, Mrs. E. Aquiar, Mrs. O. Wisler, Mrs. L. Crist, and the following students of the Eighth Grade of Byron Elementary School: Peggy Aguiar, Eva Mae Coats, Jerald Crist, Bill Duran, Donald Edwards, Lola May Epling, Onita Fortson, Virginia Furtado, Sandra Harper, John Linn, Arlene Lopez, Rosemary Machado, Bill Mason, Patty McDaniel, Clarence Mello, Harriet Moen, Kathy Richart, Donald Rudick, Janet Sami, Ann Souza, Clarence Thomas, David Waters, Donald Williams, John Wisecarver, Douglas Wisler, and Ellen Young.

On request of Senator Coombs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Alma Bentley and the following students of St. Helena High School: Connie Arnold, Mary Lou Avist, Donna Bellani, Ethel Beyer, Janet Booker, Katherine Collins, Kathleen Conrey, Mardelle Crose, Catherine Crowley, Ida Mae Daniels, Norma Hamling, Judy Hart, Lon Ella Herrod, Harriet Hertzog, Alice Hodge, Claudia Johnson, Beverly Jones, Carolyn Jones, Nancy Jones, Wilma Kinyon, Gail Kirkpatrick, Marion McGill, Myrna March, Gloria Mayfield, Beverly Meirers, Louise Mitchell, Angie Ruiz, Pat Postel, Jean Rego, Edna Risley, Francene Rossi, Ellen Sue Sawyer, Margaret Schmidt, Ruth Schneider, Lenore Thompson, Vera Trincherro, Isabel Vilar, Judith Williams, and Sandra Word.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal V. Dean Close, Jr., Teacher Miss Minnie Mae Nunes, Parents Mrs. C. K. Simmons, Mrs. George Pedersen, Mrs. Wayne Gilbert, Mrs. D. Eckels, Mrs. H. V. Krick, and the following students from the Lassen View Union Elementary School: Jean Dobson, Barbara Jane Eckels, Patti Kepple, Dorthy Pedersen, Roberta Rodriguez, Patricia Simmons, Alice Tieden, Carolyn Woods, David Bettman, Douglas Blunkhall, Walter Byrd, Stanley Fink, Wayne Gilbert, William Hunter, James Kimberlin, Richard Krick, Thomas La Rue, Richard Lindeman, Bruce Stillwell, Howard Walter, Francis Cooper, Loren Elliott, Geraldine Johnson, Tommy Mohler, Marilyn Baker, Tommy Taylor, Carol Pitts, Sue Kimberlin, Donald Eckels, Kathryn Mohler, Gerald Smith, Gloria Fink, Richard Blevins, Suzanne Schilling, Shirley Kepple, James Scott, and Sandra Lawson.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vice Principal Bernard Flanagan, Teachers Caryl F. Logsdon, Mrs. Aurelia Brauer, and the following students of the Bret Harte School: Patricia Abreau, Glenda Anderson, Marjor Balch, Wanda Billups, Irene Costa, Ignacio del Rio, Dolly Dickson, Keith Funston, Michael Giroux, Stanley A. Gonsalves, Marolyn Green, Concetta Guerra, Richard Hess, James Koski, Dorothy Lang, Hal La Pray, Clinton Linnell, Nadine Loomis, Mario Luna, Robert Lupton, Delna McClellan, Brenda Menzie, Maryann Nobriga, Dahlia Olivan, Marlene Ray, Sondra Schei, Diann Trent, James Underwood, Dorothy White, Laverne Williams, Arlene Zacarias, Louis Abreau, Robert Alvarez, Loran Berck, Carl Doty, Stanley Gonsalves, Lanny Hill, Daniel Horwood, William Hunter, Van Jansen, Anthony Jiminez, Barry Matteson, Dale Moody, Cecil Mouzon, Louis Pimentel, William Quiner, Carl Rivera, Ronald Sousa, Gary White, Zay Ballew, Elaine Cabral, Phyllis Cook, Bonnie Graham, Easter Hawkins, Penelope Lewis, Dianne Marich, Barbara Marshall, Jo Ann May, Joyce Rusher, Constance Santos, Sharon Smith, Jacqueline Strutz, Ann Tranquilitsky, June Wilkins, and Louise Wilkins.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister M. Rose Frances, Sister Ethel Mary, and the following Seniors of Holy Names High School, Oakland: Cynthia Bares, Mary Barrett, Valerie Bertone, Joelle Beyrle, Barbara Blankenship, Laura Bonato, Virginia Boyson, Donna Bramsman, Suzanne Brown, Juanita Broyles, Mary Brusher, Jane Buchanan, Janet Burns, Rosemary Burns, Barbara Caldwell, Patricia Canty, Babeth Carey, Susanne Ceynowa, Ann Chilton, Beverly Choate, Carol Compton, Isabel Conens, Mary Cooper, Judy Crillo, Gwendolyn Debow, Janet Del Tredici, Phyllis de Spiganovicz, Joyce Diridoni, Helen Dole, Carol Sue Doll, Dolores Doyas, Maureen Doyle, Margaret DuBose, Carmen Duran, Rita Duskey, Patricia Ecker, Marlene Eppeneder, Margaret Epperson, Sheila Ewart, Norma Facchini, Patricia Feeley, Inge Feibelman, Rose Fernandez, Peggy Fitzgerald, Margaret Flaherty, Ann Flood, Earline Floyd, Kathleen Fogarty, Mary Lou Gahr, Anita Giacomelli, Norrine Gillibert, Anna Marie Goerig, Adelina Gomez, Janet Goodfellow, Magdalena Grajeda, Mary Ellen Grant, Myra Graunstadt, Darlene Gregory, Eva Guevara, Rose Anne Hedges, Mary Ellen Herrick, Shirley Herzig, Maureen Hester, Patricia Hughes, Catherine Jackson, Marie Jansen, Lillie Johnson, Carol Ann Jones, Wanda Jones, Marilyn Kane, Joanne Kennedy, Patricia Kennedy, Carol Kogler, Shannon Kyle, Mary Lou Lammon, Mary Jane Lange, Mary Langer, Joanne Lendl, Phyllis Letsom, Margaret Lindsay, Arlene Long, Norma Lovi, Beverly MacLean, Patricia Magnus, Maureen Mahoney, Sheila Maloney, Mary Ann Marich, Joan Martin, Joanna Maze, Kathleen McGonigle, Eleanor McGowan, Joan McGuire, Marlene McMenamy, Marie McNamara, Mary Joan Meany, Janine Melka, Loretta Michaels, Diane Miller, Elaine Miller, Margaret Mitchell, Arlene Montalvan, Florence Montano, Louise Mulligan, Mary Frances Nicholson, Irene Nolan, Ann O'Brien, Betty Oldenbourg, Dawn Oliver, Lillian Paolino, Rose Marie Parrinello, Carmaletta Peterson, Barbara Pizzagani, Frances Pucci, Rosalie Queirolo, Donna Reilley, Alyce Roach, Mary Ellen Rogers, Marilyn Rosa, Marilyn

Schoettler, Nadine Seare, Norine Shea, Elfie Shepherd, Suzanne Sherry, Branca Silva, Barbara Smith, Shirley Souza, Clara Stanton, Sheelah Sturm, Sylvia Thompson, Arlette Ticoulat, Noreen Tyrell-Smith, Helen Valdez, Dianne Veldman, Margaret Wallace, and Joan Whalley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following Piedmont Republican Women: Mrs. Kenneth Purchase, Mrs. T. E. Caldecott, Mrs. Marvin Sherwin, Mrs. K. L. Hamman, Mrs. James P. Barr, Mrs. W. G. Mann, Mrs. Wallace Reynolds, Mrs. Geo. F. Stoll, Mrs. J. R. Griffin, Mrs. F. L. Robinson, Mrs. A. D. Fitzpatrick, Mrs. Frank Holm, Mrs. Edward Eaton, Mrs. Victor C. Wykoff, Mrs. Eugene H. Beck, Mrs. Wm. D. Wood, Mrs. Edith Walker, Mrs. James Maxwell, Mrs. Enid K. Austin, Mrs. Frank B. Martin, Mrs. Thos. E. Flowers, Mrs. Arthur A. Johnson, Mrs. Anna C. Law, Mrs. P. E. Letchworth, Mrs. Hubert Hynes, Mrs. Peggy Blandford, Mrs. Ansel Arner, Mrs. Leonard A. Marcussen, Mrs. Dean Morrison, Mrs. Alvan L. Mitchell, Mrs. Wm. Price, Mrs. C. Neil Abbott, Mary Belle Doub, Ruth H. Hall, Isabel H. Creed, Mrs. L. G. Dunn, Mrs. Schnermacher, and Mrs. John A. Gilber.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Mr. Francis J. Piceno, Miss McGranahan, and the following United States History Class students from Folsom High School: Reginald Albritton, Gary Aldridge, Bill Anderson, Melvin Bain, Warren Bain, Eslie Baker, Bob Blair, Bill Bowen, Jack Briggs, Gail Bunker, Ronald Burnett, Ruth Chandley, Marvin Collier, Don Davies, Gerald Davies, Mary M. Douglass, Sue Elliott, Jack Fallon, Wayne Glashan, Maureen Hillman, Don Horger, George Houx, Dorothy Martin, Larry McCammon, Johann Moore, Darrel Morris, Jackie Nettle, Mary Neimeyer, Eileen Quinn, Eugene Reed, James Reed, Virginia Roberts, Mary Lou Scott, Don Sheridan, Mary Lea Smith, Jim Stevenson, Maurine Stites, Don Upton, Leonard Wagner, Ed Waldon, Pearl Westbrook, Raymond Westbrook, Pat Sturm, and Bob Thrasher.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal L. W. McKeown and the following Eighth Grade students from Jefferson Union Elementary School: Edgar Arney, Jimmy Bay, Richard Bissell, Jo Ann Boshears, Emma Chisum, Emilie Colwell, Janet Conour, Rita Cosio, Thelma Davenport, Joyce Enos, Harry Fernandez, Rachel Figueroa, Anthony Fontes, Dick Gardner, Tommy Gillum, James Glenn, Betty Hill, Ronald Hoxie, George Jones, William Ledesma, Betty Le Vasseur, Lucy Lopez, David Machado, Nadine Machado, Valrene Manzini, Kathleen Mardesich, John Mason, Phyllis Matthews, Cruzita Mercado, Charles Miller, Jane McDonald, Isao Nishimura, Tatsumi Nishimura, LaVerne Perry, Jerry Phillips, Shirley Pittenger, Lydia Preciado, Irene Ramirez, Myra Rendlemen, Ronald Roberts, Barbara Rogers, Serena Sarcinella, Barbara Schattie, Marilyn Schroeder, Richard Schroeder, Angel Sierra, Henry Smith, George Tibbitts, Beverly Tindel, and Patricia Wagner.

#### Call of the Senate

Senator Powers moved a call of the Senate.

Motion carried. Time, 2.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.



**PROCEEDINGS UNDER CALL OF THE SENATE  
COMMUNICATIONS**

The following communications were received and read, and on motion of Senator Powers, ordered printed in the Journal:

**Progress Report of the Secretary of the Senate**

April 14, 1953

*Hon. Harold J. Powers  
President pro Tempore  
State Senate  
Sacramento, California*

DEAR SENATOR POWERS: Upon the completion of business of yesterday, Monday, April 13, 1953, the Histories reveal that we had finally disposed of 84 Senate measures and 176 Assembly measures, making a total of 260 measures which we have disposed of in the 62 calendar days which have so far elapsed. Subtracting 260 from 2126, the number acted upon two years ago, leaves a balance of 1866 to be acted upon. Dividing this number by 42 days, the number of days remaining if we do not meet on Saturdays or Sundays, means an average of 45 roll calls per day on the passage of measures, in addition to which there will be other roll calls on concurrences of amendments, adoption of urgency clauses and adoption of conference committee reports, making an average of probably 50 roll calls per day.

In this connection, it is interesting to note that there have been many days in the history of the California Legislature when upward of 100 bills have been passed, though those long days were characterized by noncontested measures or else by the expedient of lengthening the day by stopping the clock. Conspicuous in the matter of amount of volume that has been crammed into some legislative days, the record reveals that on May 28, 1937, 320 roll calls were taken. On June 16, 1945, 379 rolls were called, while the last day of the 1947 Session, June 20, shows 444 roll calls.

In comparing the progress made during the current session with that of the session of two years ago, it is interesting to note that on the 62d calendar day of 1951, 236 measures had been disposed of, and at the end of the 62d calendar day of 1953, we had disposed of 260 measures. In other words, at the start of business today, we are 24 measures ahead of where we were at the beginning of the 63d calendar day of 1951.

To call the roll in the Senate takes 56 seconds. To record the vote in the Assembly by the electric roll call system requires 25 seconds.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

SACRAMENTO, April 10, 1953

*Hon. J. A. Beek, Secretary of the Senate  
Senate Chambers, State Capitol  
Sacramento, California*

DEAR MR. BEEK: It was most kind of the Legislature to adopt Assembly Concurrent Resolution No. 47 in recognition of my birthday. The remembrances of my friends made my sixty-second birthday a very happy one.

Will you please thank the members of the Senate for their kindness.

Sincerely,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE  
SACRAMENTO 14, April 10, 1953

*Hon. Goodwin J. Knight  
Lieutenant Governor  
President of the Senate  
State Capitol  
Sacramento 14, California*

DEAR GOVERNOR: I have written to the Speaker to thank him and the Members of the Assembly for their adoption of Assembly Concurrent Resolution No. 44 with reference to my appointment as Administrative Assistant to United States Senator Kuebel, and want the Senate also to know how deeply I appreciate its concurrent approval of the resolution.

I have felt a very close kinship to the Members of the State Senate since 1944, when I first covered its session for the United Press. It has been a pleasure and a satisfaction to work with the various members who have had occasion to bring administrative problems to the Governor's Office.

Just as I have endeavored to be of service to the members when they have given me the opportunity, I want to be helpful in any way I can in my new assignment whenever there is occasion for them to transact business with the Senator's office.



I am leaving my State and my friends with a great deal of regret. Nothing could compensate for this except an opportunity to be of continued service, which opportunity I feel is mine in the duties I now undertake.

With warm best wishes to you and the Members and the staff of the Senate, I am  
Sincerely,

M. F. SMALL ("POP")  
Secretary to Governor

SACRAMENTO STATE COLLEGE  
SACRAMENTO, April 6, 1953

*Senator Earl D. Desmond*  
*State Capitol*  
*Sacramento 14, California*

DEAR SENATOR DESMOND: The Advisory Board and faculty of Sacramento State College are planning an open house on the afternoon of April 19, as the enclosed printed invitation indicates. We should like very much for you to extend an invitation to the Members of the Senate and such others as you may see fit.

It occurred to me that you might like this opportunity to invite your colleagues to visit the new college. We realize, of course, that all of you are very busy and shall understand if it proves to be impossible for many of them to come. In any event, we sincerely hope that you and your family will find it possible to be with us and to share the pride which all of us have in the new institution.

I am sending a similar letter to Assemblyman Fleury with the suggestion that he may wish to invite the Members of the Assembly.

Cordially yours,

GUY A. WEST, President

# MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to:

Senate Bill No. 254

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 304  
Assembly Bill No. 369  
Assembly Bill No. 370  
Assembly Bill No. 371  
Assembly Bill No. 372  
Assembly Bill No. 478  
Assembly Bill No. 480  
Assembly Bill No. 481  
Assembly Bill No. 485  
Assembly Bill No. 640

Assembly Bill No. 855  
Assembly Bill No. 881  
Assembly Bill No. 1170  
Assembly Bill No. 1173  
Assembly Bill No. 1439  
Assembly Bill No. 1440  
Assembly Bill No. 2312  
Assembly Bill No. 2758  
Assembly Bill No. 2962  
Assembly Bill No. 3042

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

# FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

**Assembly Bill No. 304**—An act to amend Section 11007.5 of the Government Code, relating to travel on state business.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 369**—An act to repeal Section 18657 of the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 370**—An act to amend Section 18109 of the Health and Safety Code, relating to auto courts and resorts, and auto and trailer camps.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 371**—An act to amend Section 18600 of, and to add Section 18600.1 to, the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 372**—An act to amend Sections 18101, 18650, and 18654 of the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Public Health and Safety.

**Assembly Bill No. 478**—An act to add Section 721.5 to the Welfare and Institutions Code, relating to juvenile court proceedings.

Referred to Committee on Judiciary.

**Assembly Bill No. 480**—An act to amend Section 880 of the Welfare and Institutions Code, relating to transfer of juvenile court cases.

Referred to Committee on Judiciary.

**Assembly Bill No. 481**—An act to amend Section 17.1 of the Welfare and Institutions Code, relating to determination of the residence of minors.

Referred to Committee on Judiciary.

**Assembly Bill No. 485**—An act to add Section 868.05 to the Welfare and Institutions Code, relating to the discharge of probation officers from accountability for the collection of amounts due to counties for the care and maintenance of wards of the juvenile court.

Referred to Committee on Judiciary.

**Assembly Bill No. 640**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to liability of relatives of recipients for aid to aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 855**—An act to add Section 72002.1 to the Government Code, relating to officers and employees of inferior courts.

Referred to Committee on Judiciary.

**Assembly Bill No. 881**—An act to amend Section 27322 of the Government Code, relating to the recording of instruments and permitting the microfilming thereof.

Referred to Committee on Judiciary.

**Assembly Bill No. 1170**—An act to add Sections 19034, 19035, 19036, 19037, 19071, 19162, and Chapter 17, Part 4, Division 14, consisting of Sections 19300 to 19312, inclusive, to the Streets and Highways Code, and to amend Sections 19161 and 19182 thereof, relating to highway lighting districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1173**—An act to amend Sections 5840 and 5841 of the Streets and Highways Code, relating to maintenance districts.

Referred to Committee on Transportation.

**Assembly Bill No. 1439**—An act to amend Sections 11404 and 11405 of the Revenue and Taxation Code, relating to taxes on private cars.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1440**—An act to add Chapter 3.5 to Part 6, Division 2 of the Revenue and Taxation Code, relating to the correction of assessments of private cars.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2312**—An act to amend Section 19080 of the Business and Professions Code, relating to regulation of the furniture and bedding industry.

Referred to Committee on Business and Professions.

**Assembly Bill No. 2758**—An act to amend Section 57 of the Alcoholic Beverage Control Act (Chapter 330 of the Statutes of 1935), to add Section 303a to Penal Code, and to amend Section 25657 of the Business and Professions Code, relating to the purchase or sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2962**—An act to amend Sections 9605, 9851, 9854, 9881, 9927, 10251, 10278 and 10406 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 3042**—An act to amend Sections 5631, 5652, 5654, 5656 of, to add Section 5631.1 to, and to repeal Section 5657 of, the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Local Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has appointed Senator Burns to serve as a member of the Committee on Interstate Cooperation, under the terms of Senate Resolution No. 169, to take the place of Senator Hoffman, resigned.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 13, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 302

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 92**—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class;

**Senate Bill No. 97**—An act to add Chapter 7 to Part 5 of Division 3 of Title 5 of the Government Code, relating to contracts between community service districts and the Federal Government;

**Senate Bill No. 167**—An act to amend Section 6 of Chapter 771 of the Statutes of 1937 and to amend Section 75165 of the Government Code, relating to the investment of Judges' Retirement Fund money;

**Senate Bill No. 385**—An act to amend Section 1080 of the Probate Code, relating to the distribution of estates;

**Senate Bill No. 386**—An act to add Sections 1132, 1133, 1134, 1135, and 1136 to the Probate Code, relating to trusts;

**Senate Bill No. 389**—An act to repeal Section 754.5 of, and to add Section 754.5 of the Probate Code, relating to the sale of estate property;

**Senate Bill No. 497**—An act to amend Sections 35401 and 35626 of the Water Code, relating to powers of water districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 680**—An act to amend Section 296.42 of the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death or the order of death;

**Senate Bill No. 784**—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to aid to veterans under the Veterans' Farm and Home Purchase Act of 1943;

**Senate Bill No. 1018**—An act to amend Section 13552 of the Government Code, relating to prices to be charged for state printing;

**Senate Bill No. 1022**—An act to amend Section 20354 of the Education Code, relating to the lease of state college property;

**Senate Bill No. 1132**—An act to amend Section 6259 of the Revenue and Taxation Code, relating to the exemption of food products from sales and use taxation;

**Senate Bill No. 1134**—An act to add Section 884.5 to the Welfare and Institutions Code, relating to medical, surgical, and dental care of wards of the juvenile court;

**Senate Bill No. 1594**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, as amended by Chapter 1554 of the Statutes of 1951, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Concurrent Resolution No. 40**—Relative to the changing of the name of the Russian Gulch State Park to Andrew E. Johnston State Park;

**Senate Concurrent Resolution No. 43**—Relative to reports of the department encampments or conventions of the United Spanish-American War Veterans;

**Senate Concurrent Resolution No. 44**—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California;

**Senate Concurrent Resolution No. 45**—Relative to reports of the annual conventions of the American Legion;

**Senate Concurrent Resolution No. 46**—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California;

**Senate Concurrent Resolution No. 47**—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS);

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of April, 1953, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 199**

**Senate Bill No. 1075**

And reports the same correctly re-engrossed.

POWERS, Chairman



SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 1

Senate Joint Resolution No. 3

Senate Joint Resolution No. 4

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Joint Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

DORSEY, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Assembly Bill No. 2037

Assembly Bill No. 2038

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DORSEY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 920

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; 2 passing; absent 2.

DORSEY, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 1453

Senate Bill No. 1476

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and re-refer to the committee.

Committee membership 9; committee vote: No roll call. At least quorum voting aye.

DORSEY, Chairman

Above reported bills ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 9; noes 2; absent 1; 1 not voting.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Assembly Bill No. 299

Assembly Bill No. 2376

Assembly Bill No. 2109

Assembly Bill No. 2944

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 12; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

**Committee on Water Resources**

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Assembly Concurrent Resolution No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, be adopted as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

WILLIAMS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 835

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

WILLIAMS, Chairman

Above reported bill ordered to second reading.

**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 1530

Assembly Bill No. 1104

Assembly Bill No. 1966

Assembly Bill No. 1105

Assembly Bill No. 2314

Assembly Bill No. 1106

Assembly Bill No. 2203

Assembly Bill No. 1112

Assembly Bill No. 1097

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

DILWORTH, Chairman

Above reported bills ordered to second reading.

**RESOLUTIONS**

The following resolution was offered:

By Senator Dilworth:

**Senate Resolution No. 104**Relative to the continuance of the Senate Interim Committee  
on Petitions and Complaints*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Petitions and Complaints created by Senate Resolution No. 29 of the 1952 Second Extraordinary Session and continued as a Senate committee until April 15, 1953 by Senate Resolution No. 76 of the 1953 Regular Session is continued until June 1, 1953, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature until June 1, 1953, with authority to file its report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to Committee on Rules.

#### MOTION TO PRINT REPORT

Senator Cunningham moved that 500 additional copies of the report of the Senate Interim Committee on Regulation of Highway Carriers be printed for distribution.

Motion carried.

#### MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Williams moved that Senate Bills Nos. 266, 542, 799, and 800 be taken from the inactive file for the purpose of rescinding the action whereby they were passed on April 8, 1953, and be returned to the inactive file.

Motion carried.

#### CONSIDERATION OF SENATE BILL NO. 266

**Senate Bill No. 266**—An act to amend Section 3 of Chapter 1273 of the Statutes of 1951, relating to fish.

##### Motion to Rescind

Senator Williams moved the Senate rescind its action, whereby the Senate passed Senate Bill No. 266 on April 8, 1953.

The roll was called, and the motion to rescind carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Senate Bill No. 266 ordered to the inactive file.

#### CONSIDERATION OF SENATE BILL NO. 542

**Senate Bill No. 542**—An act to amend Section 2 of Chapter 157, Statutes of 1951, relating to game.

##### Motion to Rescind

Senator Williams moved the Senate rescind its action, whereby the Senate passed Senate Bill No. 542 on April 8, 1953.

The roll was called, and the motion to rescind carried by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—34.

**NOES**—None.

Senate Bill No. 542 ordered to the inactive file.

## CONSIDERATION OF SENATE BILL NO. 799

**Senate Bill No. 799**—An act to amend Section 1347 of the Fish and Game Code, relating to mammals.

## Motion to Rescind

Senator Williams moved the Senate rescind its action, whereby the Senate passed Senate Bill No. 799 on April 8, 1953.

The roll was called, and the motion to rescind carried by the following vote:

**AYES**—Senators Ashare, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dillworth, Donnelly, Dorsey, Eibert, Gransky, Hatfield, Hoffman, House, Ed. C. Johnson, Harold T. Johnson, Kraft, Mardy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.  
**NOES**—None.

Senate Bill No. 799 ordered to inactive file.

## CONSIDERATION OF SENATE BILL NO. 800

**Senate Bill No. 800**—An act to amend Section 340 of the Fish and Game Code, relating to public shooting grounds.

## Motion to Rescind

Senator Williams moved the Senate rescind its action, whereby the Senate passed Senate Bill No. 800 on April 8, 1953.

The roll was called, and the motion to rescind carried by the following vote:

**AYES**—Senators Ashare, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Cunningham, Desmond, Dillworth, Donnelly, Dorsey, Eibert, Gransky, Hatfield, Hoffman, House, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Mardy, O'Gara, Parkman, Powers, Regan, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.  
**NOES**—None.

Senate Bill 800 ordered to the inactive file.

## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Council that Assembly Bills Nos. 1052 and 2867 carry an appropriation.

The President ordered Assembly Bills Nos. 1052 and 2867 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS

**Senate Bill No. 429**—An act to amend Section 1300 of the Water Code, relating to applications to appropriate water.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1257**—An act to amend Sections 23750 and 23770 of the Water Code, relating to irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1545**—An act to amend Section 13011 of the Water Code, relating to water pollution.

Bill read second time.



**Motion to Amend**

Senator Erhart moved the adoption of the following amendment :

**Amendment No. 1**

On page 1 of the printed bill, after line 22, insert

"Of the members originally appointed to the state board, three members shall be appointed for a term of two years commencing on the effective date of this act; three members shall be appointed for a term of three years commencing on the effective date of this act; and three members shall be appointed for a term of four years commencing on the effective date of this act. Thereafter, all members shall be appointed for a term of four years. Vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1743**—An act to add Section 4.1 to the Drainage District Improvement Act of 1919 (Chapter 354, 1919 Statutes), relating to the appointment of an engineer of construction, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1798**—An act to amend Sections 3, 13, 14, 15, 17, 18, and 27 of, and to add Section 34.5 to, the Santa Clara County Flood Control and Water Conservation District Act, relating to the taxing powers, issuance of bonds, and financing of flood control projects of the Santa Clara County Flood Control and Water Conservation District and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1178**—An act to add Section 2155 to the Revenue and Taxation Code, relating to the taxation of personal property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Revenue and Taxation :

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate March 30, 1953, strike out lines 16 to 26, inclusive, and insert

"2155. Any wine or brandy produced or manufactured in California by a licensed winegrower or manufacturer which now or hereafter is held by a licensed winegrower or manufacturer for the purpose of further processing, aging, or improvement of quality is subject to taxation only once. Such wine or brandy shall be subject to taxation only on the first Monday in March on which it is so held immediately following its production or manufacture. The tax on such property shall be subject to all the provisions of this code regarding the assessment, equalization, levy and collection of county taxes, to the extent that those provisions are applicable."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 76**—An act to amend Sections 17786, 17813, 17817, 25121a, and 25121c of, and to add Section 17314.5, 17314.7, 17784.7, 17784.8, 24121i.1, 24121i.2, 25101a.1, and 25101a.2 to, the Revenue and Taxation Code, relating to personal income and bank and corporation taxation, to take effect immediately.

**Motion to Retain Senate Bill No. 76 on Second Reading File**

Senator Brown moved that Senate Bill No. 76 be passed on file and retain its place on second reading file.

Motion carried.

**Senate Bill No. 1217**—An act to amend Section 476a of the Penal Code, relating to the punishment of making or uttering fictitious checks.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate March 18, 1953, strike out "of making or uttering fictitious checks.", and insert "for making or uttering checks without sufficient funds."

**Amendment No. 2**

On page 1, line 16, strike out "does", and insert "do".

**Amendment No. 3**

On page 1, after line 18, insert

"Where such check, draft or order is protested, on the ground of insufficiency of funds or credit, the notice of protest thereof shall be admissible as proof of presentation, nonpayment and protest and shall be presumptive evidence of knowledge of insufficiency of funds or credit with such bank or depository, or person, or firm, or corporation.

The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or depository or person or firm or corporation for the payment of such check, draft or order.

If any of the preceding paragraphs, or parts thereof, shall be found unconstitutional or invalid, the remainder of this section shall not thereby be invalidated, but shall remain in full force and effect."

**Amendment No. 4**

On page 1, line 15, of the printed bill, as amended in Senate March 18, 1953, after "if", insert "the total amount of".

**Amendment No. 5**

On page 1, line 17, strike out "or less".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 547**—An act to amend Section 43.5(a) of the Civil Code, relating to liability of peace officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "pursuant to a warrant of arrest regular upon its face"; and strike out lines 6 to 10, inclusive; and in line 11 strike out "deputy district attorney for acts performed".

**Amendment No. 2**

On page 1, line 12, after "duties", insert "and who acts".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 946**—An act to amend Section 16430 of the Education Code, relating to the safety of pupils and liability therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "16430", and insert "16437".

**Amendment No. 2**

In line 2 of the title of said bill, strike out "and liability therefor", and insert "of public school districts".

**Amendment No. 3**

On page 1, line 1, strike out "16430", and insert "16437".

**Amendment No. 4**

On page 1, strike out lines 3 to 8, inclusive, and insert "16437. The governing board of any school district may employ guards to assist and direct pupils of the district in crossing streets adjacent to the schools of the district and is hereby authorized to expend funds under its jurisdiction for the purpose of carrying out the provisions of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**Senate Bill No. 960**—An act to amend Sections 5010, 5258, 5508, 6001, 6511, 6512, 6513, 6560, 6561, 7205, 7410, 7651, 7900, 8706 and 8707, of the Building and Loan Code, relating to savings and loan associations and the administration of the law with respect thereto.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "5258".

**Amendment No. 2**

In line 3 of the title, strike out "Building and Loan", and insert "Financial".

**Amendment No. 3**

On page 1, strike out lines 16 to 27, inclusive, and on page 2, strike out lines 1 to 12, inclusive.

**Amendment No. 4**

On page 2, line 13, strike out "SEC. 3.", and insert "SEC. 2."

**Amendment No. 5**

On page 2, line 18, strike out "SEC. 4.", and insert "SEC. 3."

**Amendment No. 6**

On page 2, line 28, strike out "SEC. 5.", and insert "SEC. 4."

**Amendment No. 7**

On page 3, line 13, strike out "SEC. 6.", and insert "SEC. 5."

**Amendment No. 8**

On page 3, line 42, strike out "SEC. 7.", and insert "SEC. 6."

**Amendment No. 9**

On page 4, line 3, strike out "SEC. 8.", and insert "SEC. 7."

**Amendment No. 10**

On page 4, line 9, strike out "SEC. 9.", and insert "SEC. 8."

**Amendment No. 11**

On page 4, line 16, strike out "SEC. 10.", and insert "SEC. 9."

**Amendment No. 12**

On page 4, line 43, strike out "SEC. 11.", and insert "SEC. 10."

**Amendment No. 13**

On page 5, line 10, strike out "SEC. 12.", and insert "SEC. 11."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 961**—An act to amend Article 1 of Chapter 9 of Part 1 of Division 2 of the Financial Code, comprising Sections 6900 to 6910, inclusive, of said code, relating to reserves of, and restrictions on, savings and loan associations, and to amend the headings of said Chapter 9 and of said Article 1.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Financial Institutions:

**Amendment No. 1**

In line 40, page 2, of the printed bill, strike out the first "and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 569**—An act to add Sections 31031 and 31032 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in Senate April 2, 1953, after "Valley", insert "County".

**Amendment No. 2**

On page 2, line 30, after "of", insert "certain".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1713**—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

Bill read second time, ordered engrossed, and to third reading.



## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 439**—An act to amend Section 25663a of the Revenue and Taxation Code, relating to taxation of corporations, banks, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 443**—An act to amend Section 25403 of, and to renumber Section 25404 of, and to add Sections 25401a and 25404 to, the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 425**—An act to add Section 18802.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 436**—An act to amend Sections 18802, 18805, 18807 and 18908 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 441**—An act to amend Sections 26131, 26132, and 26191 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 38**—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 985**—An act to amend Section 981.15 of the Military and Veterans Code, relating to educational benefits for veterans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1982**—An act to amend Sections 502, 502.1, 512, 513, 515 and 550 of the Military and Veterans Code, relating to the military forces of the State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1983**—An act to amend Sections 340 and 562 of the Military and Veterans Code, relating to the National Guard.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 633**—An act to add Sections 19406 and 19407 to the Revenue and Taxation Code, relating to personal income taxes, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 634**—An act to amend Section 25961 of, and to add Sections 25963 and 25964 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1255**—An act to amend Section 14254 of the Financial Code, relating to the issuance of a certificate to engage in business as a credit union, under the Credit Union Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1964**—An act to amend Section 3513 of the Financial Code, relating to investment of stock of corporations engaging in international banking.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1965**—An act to add a chapter heading to Division 1 of the Financial Code, relating to prohibited practices by banks and penalties therefor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1990**—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Bill read second time, and ordered to third reading.

#### MOTION TO RECONSIDER

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

Bill read second time.

#### Committee Amendments

The following amendment was proposed by the Committee on Finance:

#### Amendment No. 1

On page 2 of the printed bill, as amended in Senate April 2, 1953, strike out lines 37 to 41, inclusive.

Amendment read, and adopted on April 9, 1953.

#### Motion to Reconsider Senate Bill No. 558

Senator O'Gara waived his motion to reconsider the vote whereby the proposed amendment from the Committee on Finance to Senate Bill No. 558 was adopted.

Senate Bill No. 558 ordered printed.

**Assembly Bill No. 1275**—An act amending Section 29610 of the Government Code, relating to convention expenses of county officers.

**Motion to Reconsider Assembly Bill No. 1275**

Pursuant to his motion previously made, Senator Breed moved that the Senate, at this time, reconsider the vote whereby Assembly Bill No. 1275 was refused passage.

The roll was called, and Senate Bill No. 1275 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Byrne, Collier, Coombs, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

**Further Consideration of Assembly Bill No. 1275**

**Motion to Amend**

Senator Breed moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Senate, April 9, 1953, strike out "Public", and insert "county".

**Amendment No. 2**

On page 1, in line 8, strike out "one municipal court judge from each", and strike out all of line 9.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Assembly Bill No. 490**—An act to amend Section 373 of the Elections Code, relating to indexes of registration, declaring the urgency thereof, to take effect immediately.

**Motion to Reconsider Assembly Bill No. 490**

Pursuant to his motion previously made, Senator Burns moved that the Senate, at this time, reconsider the vote whereby Assembly Bill No. 490 was passed.

The roll was called, and Assembly Bill No. 490 reconsidered by the following vote:

**AYES**—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Assembly Bill No. 490 ordered to third reading file.

**CONSIDERATION OF SPECIAL ORDER**

The hour of 2.30 p.m. having arrived, Senate Bill No. 558 on second reading file was taken up.

**Senate Bill No. 558**—An act to add Chapter 4 to Division 17 of the Streets and Highways Code, relating to the inclusion of the Golden Gate Bridge and its approaches in the State Highway System, the maintenance and operation thereof by the State, and providing that the California Toll Bridge Authority shall be ex officio the governing body of the Golden Gate Bridge and Highway District.

**Motion to Refer Bill to Inactive File**

Senator McCarthy moved that Senate Bill No. 558 be placed on the inactive file.

Motion carried.

## UNFINISHED BUSINESS

## Consideration of Assembly Amendments

**Senate Bill No. 173**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 173?

## Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Senate March 23, 1953, strike out "the act", and insert "this chapter".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 173 by the following vote:

**AYES**—Senators Ashare, Berry, Broad, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Elliott, Gransky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Moore, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Above bill ordered enrolled.

## President pro Tempore of the Senate Presiding

At 2:35 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 1435**—An act to amend the Sanitation, Sewer and Water Revenue Bond Law of 1941 by amending Sections 54309, 54341, and 54516 of, and by adding Sections 54516.1 and 54516.2 to, the Government Code, relating to the acquisition, construction, improvement, financing and operation of enterprises, as herein defined, by local agencies, and to the financing thereof by the issuance, sale, protection and payment or redemption of revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Ashare, Berry, Broad, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Elliott, Gransky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Moore, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

## Senator Kraft Presiding

At 2:40 p.m., Senator Fred H. Kraft of the Fortieth District, presiding.

**Senate Bill No. 1075**—An act to amend Sections 1090, 1091, 1092, 36525, 36526 and 36527 of the Government Code, relating to contracts of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Ashare, Berry, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Elliott, Gransky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Moore, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk



**Senate Bill No. 199**--An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1923**—An act to amend Sections 5391 and 5392 of, and to add Section 5022.5 to, the Streets and Highways Code, relating to improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1774**—An act to amend Sections 7053 and 7355, and to repeal Sections 7303, 7350, 7351, 7352, 7353 and 7354 of the Health and Safety Code, relating to dead bodies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 302**—An act to amend Section 479 of the Agricultural Code, relating to the labeling of market milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Way, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assistant Secretary Lachlan MacFarlane Richards, Jr., at the Desk

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1341**—An act to amend Sections 2071, 2072, 2095 and 3010 of the Financial Code, relating to the merger of banks and trust companies and the transfer of trust business upon the merger, consolidation or sale of banks.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Wey, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1745**—An act to amend Section 18006 of the Government Code, relating to the state civil service.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Murdy, O'Gara, Parkman, Regan, Tenney, Thompson, Way, Weybret, and Williams—29.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 103**—An act to amend Section 7342 of the Business and Professions Code, relating to the qualifications of electrologists.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Miller, O'Gara, Regan, Tenney, Thompson, Way, Weybret, and Williams—25.

**NOES**—Senator Kraft—1.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1941**—An act to add Section 102 to, and to amend Sections 301, 311, 452, 626, 628.5, 632, 1701, and 2627 of the Unemployment Insurance Code, relating to unemployment and disability compensation.

Bill read third time, and presented by Senator Brown.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, O'Gara, Parkman, Regan, Tenney, Thompson, Way, Weybret, and Williams—31.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2988**—An act to amend Section 8213 of the Government Code, relating to notaries public.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Murdy, Parkman, Regan, Tenney, Thompson, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 2.55 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following resolutions were offered:

**Senate Constitutional Amendment No. 32:** By Senator Kraft—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII, relating to the exemption of vessels engaged in commerce from taxation.

Referred to Committee on Revenue and Taxation.

**Senate Constitutional Amendment No. 33:** By Senator Dilworth—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 18.6 to Article XI thereof, relating to district revenue and taxation.

Referred to Committee on Revenue and Taxation.

**Senate Joint Resolution No. 35:** By Senator Hatfield—Relative to renegotiation of contracts between the United States and public agencies for water supply from the Central Valley Project of California.

Referred to Committee on Water Resources.

**RESOLUTIONS**

The following resolution was offered:

By Senators Collier and Powers:

**Senate Resolution No. 105**

Relative to the reclamation of arable land in the Lower Klamath Lake and Tule Lake areas

WHEREAS, The Legislature of the State of California by Chapter 6 of the 1905 Statutes authorized the United States to lower the water levels of the Lower Klamath Lake, Tule Lake, Goose Lake, and Clear Lake for the purpose of aiding in the operation of irrigation and reclamation under the Federal Reclamation Law, and also ceded to the United States any lands uncovered thereby to be used or disposed of by the United States for the same purposes; and

WHEREAS, The President of the United States in 1908 set aside and reserved all islands situated in Lower Klamath Lake and marsh and swamp lands unsuitable for agricultural purposes as a wild fowl refuge, known as the Klamth Lake Reservation; and

WHEREAS, Those lands have been used for many years as a place for fall and winter feeding for migratory birds; and

WHEREAS, There is much land in the Lower Klamth Lake and Tule Lake areas which are susceptible of reclamation and which by means of irrigation can be turned into a rich and productive agricultural area, and, in fact, much land in that area has been homesteaded and developed by both private initiative and industry and by a federal reclamation project into rich thriving communities; and

WHEREAS, On January 9, 1953, the United States Secretary of the Interior by directive withdrew from homestead entry approximately 7,500 acres of some of the potentially richest agricultural land in California and transferred future control and operation of these lands to the Fish and Wildlife Service, thereby completely subordinating the use of such lands to wild life purposes; and

WHEREAS, The withdrawal of these potentially arable lands from agricultural settlement is a contravention not only of the spirit but also of the words of the grant by the State of California to the United States; and

WHEREAS, The United States presently has more than a sufficiency of land for wild fowl preservation purposes if it is efficiently managed; now, therefore, be it

*Resolved by the Senate of the State of California.* That the Senate of the State of California respectfully memorializes the Secretary of the Interior to set aside and rescind the directive of January 9, 1953, which affects potentially highly productive arable lands in Siskiyou and Modoc Counties, California, and reserves such lands for fish and game purposes; and be it further

*Resolved.* That the Secretary of the Senate is directed to transmit copies of this resolution to the Secretary of the Interior of the United States, and to each Senator and Representative in the Congress of the United States from the State of California.

Resolution read, and referred to Committee on Rules.

Chief Assistant Secretary Cleve V. Taylor at the Desk

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 64

Senator Thompson moved that Senate Bill No. 64 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 64**—An act to amend Section 66e of the Code of Civil Procedure and Section 69600 of the Government Code, relating to the number of judges of the Superior Court in the County of Santa Clara, providing for the appointment of an additional judge and for compensation.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

Strike out lines 1 to 7, inclusive, of the title of the printed bill, as amended in Senate March 27, 1953, and insert

"An act to amend Section 69683 of the Government Code, relating to judges of the Superior Court in the County of Santa Clara."

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 69683 of the Government Code is amended to read:  
69683. The annual salary of each judge of the Superior Court of the County of Santa Clara is sixteen thousand dollars (\$16,000)."

#### Amendment No. 3

On page 1, strike out lines 2 to 24, inclusive, and on page 2, strike out lines 1 to 22, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

#### WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 91

Senator McBride moved that Assembly Bill No. 91 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 91**—An act to add Sections 11656.6 and 11656.7 to the Insurance Code, relating to group workmen's compensation policies.

Bill read second time.



**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly March 25, 1953, strike out "and", and insert ",".

**Amendment No. 2**

In line 2 of the title, after "11656.7", insert ", and 11656.8".

**Amendment No. 3**

On page 3, after line 29, insert

"SEC. 4. Section 11656.8 is added to said code, to read:

11656.8. Nothing in Sections 11656.6 or 11656.7 shall be construed to supersede, modify, or otherwise affect in any way the provisions of Section 11656.5."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 783**

Senator Thompson moved that Senate Bill No. 783 be withdrawn from Committee on Natural Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 783**—An act to add Section 2607 to the Public Resources Code, relating to mining.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Senate March 19, 1953, strike out ", or other surface mining".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 584**

Senator Williams moved that Senate Bill No. 584 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 584**—An act to add Division 10.5 to, and to repeal Chapter 2 of Part 6, Division 11 of, the Water Code, relating to state administration of water resources.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend Sections 23196, 24252, and 24253 of, and to add Division 10.5 to, the Water Code, relating to state adminis-".

**Amendment No. 2**

On page 1, line 4, strike out "LAW".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 3**

On page 1, between lines 5 and 6, insert

"20200. As used in this division "district" means any district organized by, or formed pursuant to, state law.

20201. The provisions of this division shall apply only to cooperation and contracts with the United States under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereto or any act of Congress heretofore or hereafter enacted permitting cooperation, by any district for the accomplishment of any activity with respect to which cooperation and contracts are authorized by the law under which the district is organized. To the extent that the provisions of this division are applicable, they shall supersede all other provisions of law, both general and specific.

20202. The provisions of this chapter apply only to proceedings taken under it and do not apply to district operations unrelated to cooperation with the United States.

20203. Nothing contained in this division shall permit or authorize any term or provision of a contract between the United States or any of its agencies and the State of California or any district of the State of California which term or provision would:

(a) Deprive or does not provide to any district or any landowners therein of the benefits of a permanent water right or the right being appurtenant to the lands to be served.

(b) Permit or authorize the application of any rule or regulation inconsistent with the laws of this State governing the district.

20204. It is hereby declared that the laws of this State recognize the principle that water rights are appurtenant and permanent, subject only to reasonable use.

20205. Any cooperation or contracts within the scope of this division shall be consistent with the laws of the State of California.

20206. The provisions of this division shall apply to cooperation and contract for any or all of the following purposes:

(a) Acquisition, extension, or operation of works for irrigation or drainage or development and distribution of electric power or any or all of these purposes.

(b) A water supply.

(c) Assumption as principal or guarantor of indebtedness to the United States on account of district land.

(d) Borrowing or procuring money from the United States to finance any of the operations of the district.

(e) Financing or refinancing obligations of the district, including outstanding warrants or other indebtedness.

(f) Purchasing or refunding bonds of the district.

(g) Accomplishing any of the purposes of the district.

Any water supply obtained pursuant to this division shall be permanent and appurtenant to the lands within the district except that such a supply may be acquired on a temporary basis for periods not exceeding one year and during construction or development periods.

20207. All contracts with the United States for a water supply or the use of any dam, storage, canal, or other works constructed or operated by the United States shall contain:

(a) A statement of the maximum costs to be paid by the district as its share of all works used or usable for supplying water under the contract, including but not limited to, any major project works through which the water is supplied.

(b) A statement of the maximum amount to be repaid by the districts on construction costs allocated to and repayable for irrigation purposes.

(c) Provisions for determining the credit to be made to the district on construction costs.

(d) Date when full payment will be made.

20208. All water acquired by a district under any contract with the United States shall be distributed and apportioned by the district in accordance with applicable state laws. Provision may be made in the contract for the refusal of water service to any or all land which may become delinquent in the payment of any assessment levied for the purpose of carrying out the contract.

20209. A proposal to enter into a contract with the United States shall be authorized at an election if the contract is for any or all of the following:

(a) Repayment of construction money.

(b) Repayment of the cost of acquiring any property.

(c) Issuance of bonds.

(d) Water supply.

20210. Proceedings at the election shall be had insofar as applicable in the manner provided in the case of the ordinary issuance of district bonds, or, if the district is not authorized to issue bonds, in the manner provided for general district elections.

20211. The proposal shall be submitted to the commission for its examination and approval as provided in Article 7 of Chapter J, Division 10 of the Water Code. No proposal may be submitted at an election until it has been approved by the commission.

20212. Notice of the election shall contain in addition to the information required in the case of ordinary bond, or general, elections a statement of the maximum amount of money to be payable to the United States for construction purposes and cost of water supply and acquisition of property, exclusive of penalties and interest, and a general statement of the property, if any, to be conveyed by the district pursuant to the contract.

20213. The ballots at the election shall contain a brief statement of the general purpose of the contract substantially as stated in the notice of election and the extent of the obligation to be assumed with the words "Contract—Yes" and "Contract—No" or "Contracts and bonds—Yes" and "Contracts and bonds—No" whichever may be applicable.

20214. A district shall submit any contract or proposed contract and bond issue to the superior court of the county in which is situated the office of its governing body to determine the validity thereof, including but not limited to its terms and provisions, the authority of the district to make the contract, and the authority for and validity of the issuance and deposit or transfer of the bonds. The validation proceedings shall be had as in the ordinary case of the judicial determination of the validity of irrigation district bonds and with like effect.

20215. The assessment required in any year to meet the payment due to the United States for all purposes under the contract shall be levied and collected in accordance with the state law governing the district.

SEC. 2. Section 23196 of said code is amended to read:

23196. The cooperation and contract may be for any or all of the following purposes:

(a) Acquisition, extension, or operation of works for irrigation or drainage or development and distribution of electric power or any or all of these purposes.

(b) A water supply.

(c) Assumption as principal or guarantor of indebtedness to the United States on account of district land.

(d) Borrowing or procuring money from the United States to finance any of the operations of the district.

(e) Financing or refinancing obligations of the district, including outstanding warrants or other indebtedness.

(f) Purchasing or refunding bonds of the district.

(g) Accomplishing any of the purposes of the district.

*Any water supply obtained pursuant to this division shall be permanent and appurtenant to the lands within the district except that such a supply may be acquired on a temporary basis for periods not exceeding one year and during construction or development periods.*

SEC. 3. Section 24252 of said code is amended to read:

24252. A district shall have the right to enter into any contract or lease [for any property] necessary in the judgment of its board for any of the uses or purposes of the district and by the lease or contract to bind the district for the payment of the consideration specified in the lease or contract as may be provided therein.

SEC. 4. Section 24253 of said code is amended to read:

24253. If the largest payment to be made under any one lease or contract [for any property] exceeds in any year an amount equal to one-fourth of 1 percent of the total valuation of the land in the district according to the assessment next equalized before the making of the lease or contract, the lease or contract shall not be valid unless either:

1. The district has appropriate funds on hand at the time the lease or contract is made, sufficient to meet all payments to be made thereunder and in excess of the district's normal requirements for the period in which the payments are to be made; or,

2. Unless a particular purpose or emergency assessment sufficient to meet all of the principal payments to become due under the lease or contract is authorized; or,

3. The lease or contract is approved by the Districts Securities Commission."

#### Amendment No. 4

On page 1, strike out lines 6 to 25, inclusive, and strike out the balance of the bill.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 583**

Senator Williams moved that Senate Bill No. 583 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 583**—An act to amend Section 20023 of, and to add Article 7 to Chapter 1, Division 10 of the Water Code, relating to the Districts Securities Commission.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On line 1 of the title of the printed bill, strike out "amend Section 20023 of, and to".

**Amendment No. 2**

On page 1, strike out lines 1 to 8, inclusive, and insert "SECTION 1. Article 7 is added to Chapter 1, Division 10, of the Water Code, to read:".

**Amendment No. 3**

On page 2, line 36, strike out "simultaneous construction of the".

**Amendment No. 4**

On page 2, line 37, strike out ", and not for portions of such work".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 704**

Senator Thompson moved that Senate Bill No. 704 be withdrawn from Committee on Transportation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 704**—An act to add Section 2107.5 to, and to amend Section 2108 of, the Streets and Highways Code, relating to use of highway funds for grade crossing separation or protection work on county roads and city streets.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in Senate March 26, 1953, after the period, insert "However, the commission shall not allocate any money to any county or city until the Public Utilities Commission determines, upon the basis of benefits, if any, to be received by the county or city, the county's or city's proportionate share of expense of the proposed separation or protection work. The commission may allocate to a county or city not more than one-half of its proportionate share of expense of the proposed work."



**Amendment No. 2**

On page 2, strike out lines 6 to 15, inclusive, and insert

"Sec. 3. The provisions of this act shall not become operative unless the Legislature at its 1953 Regular Session increases the rate of the motor vehicle fuel license tax imposed by Section 7351 of the Revenue and Taxation Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 793**

Senator Abshire moved that Senate Bill No. 793 be withdrawn from Committee on Legislative Representation for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 793**—An act to amend Section 9902 of the Government Code, relating to legislative representation.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In the caption of the printed bill, strike out "Senators Abshire, McBride, Weybret, Busch, and Desmond", and insert "Senators Abshire and Weybret".

**Amendment No. 2**

In line 1 of the title, strike out "amend Section 9902 of", and insert "add Section 9906.6 to".

**Amendment No. 3**

On page 1 of the printed bill, strike out line 1, and insert:

"SECTION 1. Section 9906.6 is added to the Government Code, to read:

9906.6. Any person, other than a recipient of aid under the Welfare and Institutions Code, who solicits or who causes another or employs any other to solicit any assessment, subscription, or contribution, from any individual known by him to be receiving aid from the State under any provision of the Welfare and Institutions Code, to be used directly or indirectly in attempting to influence the passage or defeat of any legislation by the Legislature, or the approval or veto of any thereof by the Governor, is guilty of a misdemeanor.

Each and every act committed in violation of this section is a separate and distinct offense."

**Amendment No. 4**

On page 1, strike out lines 2 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Legislative Representation.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 860**

Senator Abshire moved that Senate Bill No. 860 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 860**—An act to amend Section 11371 of the Government Code, relating to rules and regulations under the Administrative Procedure Act.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "the", and insert "a".

**Amendment No. 2**

On page 1, line 18, after "directly", insert "or indirectly".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 895**

Senator Hoffman moved that Senate Bill No. 895 be withdrawn from Committee on Governmental Efficiency for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 895**—An act to amend Section 80 of, to repeal Section 80.5 of, and to add Section 92.1 to, the Agricultural Code, relating to district and county agricultural fairs.

Bill read second time.

**Motion to Amend**

Senator Hoffman moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 12 of the printed bill, insert "District 18. The Counties of Mono, Inyo, and Alpine."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1147**

Senator Gibson moved that Senate Bill No. 1147 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1147**—An act to add Section 2.5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952, First Extraordinary Session), relative to the Vallejo Sanitation and Flood Control District.

Bill read second time.

**Motion to Amend**

Senator Gibson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 2.5 to", and insert "amend Section 2 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 2

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 2 of the act cited in the title hereof is amended to read as follows:

Sec. 2. Objects and Purposes of Act and Powers of District. The objects and purposes of this act are to provide for the collection and disposal of sewage and industrial waste and for the control and disposition of the storm and flood waters of said district, and to protect the public health and also to protect from damage from such storm and flood waters the waterways, property, public highways and public places in said district. The Legislature hereby declares that special facts and circumstances peculiar to the area within the district having the boundaries hereinabove defined makes the accomplishment of the objects and purposes of this act impossible under existing general law and special legislation is necessary. The State and the people thereof have a primary and supreme interest in the securing to the inhabitants and property owners within the district hereinabove described adequate facilities for the collection and disposal of sewage and the protection from waters naturally flowing into the district from the surrounding mountainous watershed. Special investigation has shown that the conditions within the district hereinabove described are peculiar to that area and that this act is essential to carry out the objects and purposes herein expressed and for the elimination of duplication of governmental authority and securing greater economy of administration. It is further found and determined that the area within the district herein defined has no facilities for the sanitary treatment and disposal of sewage and is consequently contaminating and polluting the waters of San Francisco Bay. The area within the district is of strategic importance due to the proximity of Mare Island Navy Yard. The influx of Navy personnel and their families and civilian workers at the Mare Island Navy Yard has greatly aggravated the problem of sewage disposal in that area; said problem of sewage disposal is further aggravated by lack of adequate drainage and floodwater control and the infiltration of storm and flood waters into existing sanitary sewers; both the problem of sanitary sewage and drainage and the problem of storm water flood control are so correlated and interrelated that the special problems relating to each can only be solved by uniform administration and a uniform control plan of sewage disposal and flood control works.

The Vallejo Sanitation and Flood Control District is hereby declared to be a body corporate and politic and as such shall have power:

- (a) Succession. To have perpetual succession.
- (b) Suits. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.
- (c) Seal. To adopt a seal and alter it at pleasure.
- (d) Ownership of Property. To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers.
- (e) Acquisition of Property. To acquire or contract to acquire lands, rights of way, easements, privileges or property of every kind within or without the district, and construct, maintain and operate any and all works and improvements within or without the district necessary, convenient or proper to carry out any of the provisions, objects or purposes of this act, and to complete, extend, add to, repair, or otherwise improve any works or improvements acquired by it as herein authorized.
- (f) Eminent Domain. To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use by the State, any political subdivision or district thereof.
- (g) Sanitary Sewage Disposal Works. To acquire, construct, reconstruct, alter, own, operate, maintain and repair sewage treatment plants, including digesters, sludge heaters, sludge drying beds, effluent pumping plants, screens, clarifiers, storage ponds, control buildings, oxidizing ponds, sewage digestive systems, intercepting, collecting and outfall sewers, laterals, pipes, manholes, machinery, equipment, and all other facilities for the collection, transmission and disposition of sewage and industrial wastes, together with all works, properties or structures necessary or convenient for sewage disposal purposes. The terms "sanitary sewage disposal works," "sewage disposal works," "sanitary sewage disposal purposes" or "sewage disposal purposes" or similar terms whenever used herein shall include and comprehend all of the works, properties or structures necessary or convenient for sewage disposal purposes.
- (h) Drainage and Flood Control Works. To construct, maintain, repair and operate all levees, bulkheads, walls of rock or other material, pumps, dams, channels, conduits, pipes, ditches, canals, reservoirs, *spreading basins*, tunnels, drains, machinery and equipment necessary therefor, dredgers and all other auxiliary, incidental, necessary or convenient agencies, work or improvements that may be required to carry out, facilitate, repair, maintain and/or complete the same, and, in connection with any

such reservoirs or spreading basins, to acquire or construct such improvements, including landscaping, apparatus and equipment, that said reservoirs or spreading basins may incidentally be used for park, playground or other recreation purposes. The terms "storm water flood control works," "drainage works," "storm water flood control purposes" and "drainage purposes" and similar terms whenever used in this act shall mean and include all works, properties, or structures necessary or convenient for drainage and flood control purposes, and said purposes incidental thereto.

(i) Indebtedness. To incur indebtedness, and to issue bonds or other evidence of indebtedness in the manner herein provided, and to provide for the issuance of warrants of the district and the registration of any warrants not paid for want of funds and interest thereon after registration and until payment, and also to issue bonds or other securities payable from revenues.

(j) Revenues From Revenue Producing Utilities. To prescribe, revise and collect tolls, rents or other charges for any services or facilities furnished by the district; to contract with the City of Vallejo or any other public or private agency for the collection of tolls, rents or other charges for any facility or service furnished by the district and to provide for the collection of such tolls, [rates] rents and charges along with the collection of water charges by the City of Vallejo or any other public or private agency.

(k) Assessments. To cause assessments to be levied and collected for the purpose of paying any obligations of the district in the manner hereinafter provided.

(l) Employees. To appoint and employ such engineers, attorneys, assistants and other employees as may be necessary and fix their compensation, including a secretary or clerk, superintendent of work or manager, and define their powers and duties as in this act provided, and fix and determine the amount of bond required of each appointee and pay the premium on such bonds; which said officers and employees and each of them shall serve at the pleasure of the board of trustees of said district; provided, however, that the compensation, or at least the rate thereof or some basis for computing the same, shall be fixed and stated in the order of appointment of each such person. Said board shall have the power to combine any two or more offices in its discretion.

(m) Zones. To establish and fix the boundaries of zones in said district as in this act hereinafter provided; to make transfers of money from the operation fund of said district to any special fund and to create and administer such special funds as in their discretion may seem advisable; to create and administer revolving funds to facilitate and assist in the carrying on and completing of such acquisitions, works and improvements provided for herein, and to do any and all things necessary or incidental to the accomplishment of the things which are permitted to be done under this act.

(n) Contracts. To make and enter into contracts with the United States of America, the State of California, any political subdivision, county, municipality, district, agency or mandatory of the State of California or of the United States and any department, board, bureau or commission of the State of California or the United States of America, and or any person, firm, association or corporation, jointly and or severally, for the acquisition of property or rights and or the construction, maintenance and or operation in whole or in part of any and or all works and/or improvements provided in this act.

(o) Lease of Property. To lease and/or rent to or from the City of Vallejo, the County of Solano, or any public or private agency, or person, firm or corporation, any property or rights necessary, in the opinion of the board of trustees of said district, to accomplish or carry out any of the work or improvement or the maintenance thereof herein provided and under such terms and conditions as may be agreed upon between the parties.

(p) Contributions. To receive and accept any and all contributions in labor, materials or money to be applied to the works or improvements herein provided for."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1414

Senator Kraft moved that Senate Bill No. 1414 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1414**—An act to amend Section 316 of, and to add Section 316.5 to, the Education Code, relating to the powers of county boards of education.

Bill read second time.



**Motion to Amend**

Senator Kraft moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, strike out "to amend Section 316 of, and", and after "to", strike out the comma.

**Amendment No. 2**

On page 1, strike out lines 1 through 11.

**Amendment No. 3**

On page 1, line 12, strike out "SEC. 2.", and insert "SECTION 1."; and in the same line, after "to", strike out the balance of the line, and insert "the Education Code to read:".

**Amendment No. 4**

On page 1, line 13, after "education" strike out "shall", and insert "in counties governed by charters which provide for an elected board of education may".

**Amendment No. 5**

On page 1, after line 13, insert  
 "(a) Adopt rules and regulations governing the administration of the office of the county superintendent of schools."

**Amendment No. 6**

On page 1, line 14, strike out "(a)", and insert "(b)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1497**

Senator Thompson moved that Senate Bill No. 1497 be withdrawn from Committee on Local Government for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1497**--An act to add Section 2 to Chapter 1705 of the Statutes of 1951, relating to the compensation of attaches of superseded courts in the judicial district embracing the Cities of Palo Alto and Mountain View, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 2 to Chapter 1705 of the Statutes of 1951", and insert "amend Sections 73392, 73393, 74042, and 74043 of the Government Code".

**Amendment No. 2**

In line 2 of the title, strike out "superseded courts"; and strike out line 3, 4 and 5, and insert "municipal courts in judicial districts in Santa Clara County."

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**PRINTER'S NOTE**--There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out lines 1 to 25, inclusive, and insert

"SECTION 1. Section 73392 of the Government Code is amended to read:

73392. There shall be one clerk who shall receive a minimum salary of [three hundred sixty dollars (\$360) monthly with annual increments of twenty-six dollars

(\$26), twenty-seven dollars (\$27), twenty-seven dollars (\$27), and twenty-seven dollars (\$27) to a maximum of four hundred sixty-seven dollars (\$467) monthly] *four hundred twelve dollars (\$412) monthly with annual increments of twenty-one dollars (\$21), twenty-two dollars (\$22), twenty-three dollars (\$23), and twenty-four dollars (\$24) to a maximum of five hundred two dollars (\$502) monthly.*

SEC. 2. Section 73393 of said code is amended to read:

73393. The clerk may appoint:

(a) Three deputy clerks who shall be court clerks, each of whom shall receive a minimum salary of two hundred sixty-five dollars (\$265) monthly with annual increments of twenty-two dollars (\$22), twenty-two dollars (\$22), twenty-two dollars (\$22), and twenty-two dollars (\$22), to a maximum of three hundred fifty-three dollars (\$353) monthly.

(b) Six deputy clerks who shall be typists, each of whom shall receive a minimum salary of one hundred ninety-five dollars (\$195) monthly with annual increments of twenty-one dollars, seventeen dollars (\$17), seventeen dollars (\$17) and seventeen dollars (\$17) to a maximum of two hundred sixty-seven dollars (\$267) monthly.]

(c) One principal deputy clerk who shall receive a minimum salary of three hundred twenty-two dollars (\$322) monthly with annual increments of sixteen dollars (\$16), seventeen dollars (\$17), eighteen dollars (\$18), and nineteen dollars (\$19), to a maximum of three hundred ninety-two dollars (\$392) monthly.

(b) Three deputy clerks who shall be court clerks, each of whom shall receive a minimum salary of three hundred seven dollars (\$307) monthly with annual increments of fifteen dollars (\$15), sixteen dollars (\$16), seventeen dollars (\$17), and eighteen dollars (\$18), to a maximum of three hundred seventy-three dollars (\$373) monthly.

(c) One senior deputy clerk who shall receive a minimum salary of two hundred sixty-five dollars (\$265) monthly with annual increments of thirteen dollars (\$13), fourteen dollars (\$14), fifteen dollars (\$15), and fifteen dollars (\$15) to a maximum of three hundred twenty-two dollars (\$322) monthly.

(d) Eleven deputy clerks who shall be typist clerks, each of whom shall receive a minimum salary of two hundred twenty-nine dollars (\$229) with annual increments of eleven dollars (\$11), twelve dollars (\$12), thirteen dollars (\$13), and thirteen dollars (\$13) to a maximum of two hundred seventy-eight dollars (\$278) monthly.

SEC. 3. Section 74042 of said code is amended to read:

74042. There shall be one clerk who shall receive a minimum salary of [two hundred sixty-five dollars (\$265) monthly with annual increments of twenty-two dollars (\$22), twenty-two dollars (\$22), twenty-two dollars (\$22), and twenty-two dollars (\$22) to a maximum of three hundred fifty-three dollars (\$353) monthly.] *four hundred twelve dollars (\$412) monthly with annual increments of twenty-one dollars (\$21), twenty-two dollars (\$22), twenty-three dollars (\$23), and twenty-four dollars (\$24) to a maximum of five hundred two dollars (\$502) monthly.*

SEC. 4. Section 74043 of said code is amended to read:

74043. The clerk may appoint:

(a) One deputy who shall be court clerk at a minimum salary of two hundred thirty-five dollars (\$235) monthly with annual increments of twenty dollars (\$20), twenty-one dollars (\$21), twenty dollars (\$20), and twenty-one dollars (\$21) to a maximum of three hundred seventeen dollars (\$317) monthly.

(b) Two deputy clerks who shall be typists at a minimum salary of one hundred ninety-five dollars (\$195) monthly, with annual increments of twenty-one dollars (\$21), seventeen dollars (\$17), seventeen dollars (\$17), and seventeen dollars (\$17) to a maximum of two hundred sixty-seven dollars (\$267) monthly.]

(a) Two deputy clerks who shall be court clerks, each of whom shall receive a minimum salary of three hundred seven dollars (\$307) monthly with annual increments of fifteen dollars (\$15), sixteen dollars (\$16), seventeen dollars (\$17), and eighteen dollars (\$18) to a maximum of three hundred seventy-three dollars (\$373) monthly.

(b) Six deputy clerks who shall be typist clerks, each of whom shall receive a minimum salary of two hundred twenty-nine dollars (\$229) monthly with annual increments of eleven dollars (\$11), twelve dollars (\$12), thirteen dollars (\$13), and thirteen dollars (\$13) to a maximum of two hundred seventy-eight dollars (\$278) monthly."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1617

Senator Abshire moved that Senate Bill No. 1617 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1617**—An act to amend the heading of Part 5 of the Welfare and Institutions Code, to add Chapter 1 as a chapter heading to said Part 5, to add Chapter 2 to said Part 5, and to renumber Section 7500.5 to be Section 7551 of said code, relating to community mental hygiene clinics.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 23, and insert "the State. Many areas within the State".

**Amendment No. 2**

On page 2, line 1, strike out "to assist the"; and strike out line 2, and insert "that the counties and the State should jointly seek to provide community mental hygiene clinics for the prevention, early diagnosis and early treatment of mental disorders and".

**Amendment No. 3**

On page 2, line 6, after "with", strike out "cities".

**Amendment No. 4**

On page 2, line 9, strike out "with such cities or counties".

**Amendment No. 5**

On page 2, line 12, strike out the "s" in "agreements".

**Amendment No. 6**

On page 2 strike out line 14, and insert "lished by the Department of Mental Hygiene, the minimum amount to be contributed by or through the county or city and".

**Amendment No. 7**

On page 2, line 16, strike out the "s" in "clinics".

**Amendment No. 8**

On page 2, line 20, strike out "city or", and insert "county or city and".

**Amendment No. 9**

On page 2, line 23, strike out "such city or", and insert "or through such county or city and".

**Amendment No. 10**

On page 2, line 25, strike out "1955", and insert "1957".

**Amendment No. 11**

On page 2, line 26, strike out "the city or", and insert "or through the county or city and".

**Amendment No. 12**

On page 2, between lines 30 and 31, insert

"Whenever the amount contributed by or through a county or city and county under Section 7553 or under this section exceeds one-half ( $\frac{1}{2}$ ) of the total cost of operating and maintaining a clinic, the management of such clinic may be placed under the jurisdiction of the county or city and county subject to compliance with minimum standards established by the department for the efficient maintenance and operation of community mental hygiene clinics."

**Amendment No. 13**

On page 2, line 31, strike out "cities or counties", and insert "or through a county or city and county".

**Amendment No. 14**

On page 2, line 32, after "chapter", insert "while the management of the clinic is under the jurisdiction of the department".

**Amendment No. 15**

On page 2, between lines 36 and 37, insert

"7556. In any agreement hereafter entered into under this chapter concerning a community mental hygiene clinic established or to be established by or through a county or city and county, the maximum amount that may be contributed by the State shall be not more than one-half ( $\frac{1}{2}$ ) of the total cost of operating and maintaining

such clinic for the first year, not more than one-third (1/3) for the second year, and not more than one-sixth (1/6) for the third and each succeeding year thereafter. A clinic established by or through a county or city and county shall not be eligible for state contributions under this section unless the clinic is approved by the Department of Mental Hygiene and assurance is given that the clinic will be operated and maintained in compliance with minimum standards established by the department for the efficient maintenance and operation of community mental hygiene clinics.

7557. The department shall adopt regulations prescribing minimum standards for care and treatment of patients in community mental hygiene clinics considering personnel qualifications and adequate staffing facilities; providing for the maintenance of records of patients and records of services, finances and expenditures, in accordance with sound accounting practices, which shall be reported to the department in such manner and at such times as its regulations may specify. The department shall have the power of visitation and inspection of such clinics at any reasonable time.

Determination by the department of failure of a clinic to continue to comply with the provisions of this chapter or regulations adopted by the department thereunder shall constitute sufficient reason for the department to revoke approval of a clinic and to deny funds to the clinic under this chapter.

7558. The charges for treatment or services rendered in community mental hygiene clinics established under this chapter shall be uniform for all such clinics and shall be in substantial compliance with the schedules for such charges established by the department. All fees or charges collected by a clinic established pursuant to an agreement entered into under this chapter shall be deposited in a separate fund of the clinic and shall be credited to the costs of operating and maintaining such clinic for the following fiscal year, and the remaining costs of operating and maintaining the clinic for such year shall be apportioned between the State and the county or city and county pursuant to the agreement entered into under this chapter.

7559. This act shall become effective July 1, 1954."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1626

Senator Thompson moved that Senate Bill No. 1626 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1626**—An act to amend Section 7330 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

#### Motion to Amend

Senator Thompson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7330," and insert "Sections 7330, 7373, and 7382".

#### Amendment No. 2

On page 1, line 4, after "cosmetology", insert "under the supervision of a licensed hairdresser and cosmetician or cosmetologist manager-operator".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1, after line 6, insert

"SEC. 2. Section 7373 of said code is amended to read:

7373. Every applicant for a license as a hairdresser cosmetician or cosmetologist satisfactorily passing the examination conducted by the board to determine his fitness to engage in the practice of the occupations of a hairdresser and cosmetician or cosmetologist, shall receive from the board a certificate of registration and license as hairdresser and cosmetician or cosmetologist.



This license, except for renewal fees, entitles the holder, without additional cost, to engage in the practice of the occupations of a hairdresser and cosmetician or cosmetologist upon the public under the supervision of a licensed hairdresser and cosmetician or cosmetologist manager-operator for a period of one year. During this period the licensee shall not be entitled to manage a cosmetological establishment nor to engage in the practice of cosmetology independent of the supervision of a licensed hairdresser and cosmetician or cosmetologist manager-operator [in a licensed cosmetological establishment].

Upon receipt of sufficient evidence of completion of one year of actual shop experience in this State, the board shall issue without examination a certificate of registration and license as hairdresser and cosmetician or cosmetologist and designating the holder as a manager-operator.

Sec. 3. Section 7382 of said act is amended to read:

7382. A cosmetological establishment shall, at all times, be in the charge of and under the supervision of a licensed hairdresser cosmetician or cosmetologist manager-operator."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1657

Senator Hatfield moved that Senate Bill No. 1657 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1657** An act amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11416, 12519, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20023, 20082, 20083, 20084, 20085, 20086, 20625, 20820, 23196, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the title of Article 1 of Chapter 2, Division 1, the title of Article 5 of Chapter 3, Part 4, Division 5, the title of Article 6, Chapter 1, Part 3, Division 6, the title of Article 2, Chapter 3, Part 8, Division 12, the title of Chapter 4 of Part 1, Division 14, the title of Article 4 of Chapter 1, Part 5, Division 14, and the title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 126, 127, 128, 130, 131, 133, 134, 135, 136, 143, 145, 146, 1360, 12519, 12543, 20034, and Articles 2, 3 and 4 to Chapter 2, Division 1, the title to Chapter 3, Division 1, the title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 2765, 6001, 6050, 6051, 8305, 8698, 8699, 11554, 20544, 20545, and 39029 of, the Water Code, amending Sections 4001, 11041, 12040, 13370, 14005, 14033, 14255, 14314, 14316, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14035, 14036, and 14037, and Article 2, Chapter 2, Part 5, Division 3, Title 2, of, the Government Code, and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514), Creating a Department of Water Resources and providing for the regulation of water resources, all relating to state administration of water resources.

Bill read second time.

**Motion to Amend**

Senator Hatfield moved the adoption of the following amendments:

**Amendment No. 1**

In line 5 of the title of the printed bill, as amended in Senate April 7, 1953, strike out "20082, 20083,".

**Amendment No. 2**

In line 6 of the title, strike out "20084, 20085, 20086,".

**Amendment No. 3**

In line 15 of the title, strike out "126,".

**Amendment No. 4**

In line 20 of the title, strike out "2765,".

**Amendment No. 5**

In line 22 of the title, after "Code," insert "and".

**Amendment No. 6**

In lines 26 and 27 of the title, strike out "and Article 2, Chapter 2, Part 5, Division 3, Title 2,".

**Amendment No. 7**

In lines 27, 28 and 29 of the title, strike out "and amending Sections 3, 19, 21, and 24 of the State Water Resources Act of 1945 (Statutes of 1945, Chapter 1514),".

**Amendment No. 8**

On page 2, line 17, strike out "125", and insert "126".

**Amendment No. 9**

On page 2, strike out lines 19 to 30, inclusive.

**Amendment No. 10**

On page 2, line 31, strike out "6," and insert "5".

**Amendment No. 11**

On page 3, line 1, strike out "7", and insert "6".

**Amendment No. 12**

On page 3, line 12, strike out "8", and insert "7".

**Amendment No. 13**

On page 3, line 17, strike out "9", and insert "8".

**Amendment No. 14**

On page 3, line 21, strike out "10", and insert "9".

**Amendment No. 15**

On page 3, line 26, strike out "11", and insert "10".

**Amendment No. 16**

On page 3, line 32, strike out "12", and insert "11".

**Amendment No. 17**

On page 3, line 33, strike out "13", and insert "12".

**Amendment No. 18**

On page 3, line 40, strike out "14", and insert "13".

**Amendment No. 19**

On page 3, line 44, strike out "15", and insert "14".

**Amendment No. 20**

On page 4, line 5, strike out "16", and insert "15".

**Amendment No. 21**

On page 4, line 8, strike out "17", and insert "16".

**Amendment No. 22**

On page 4, line 14, strike out "18", and insert "17".

**Amendment No. 23**

On page 4, line 19, strike out "19", and insert "18".

**Amendment No. 24**

On page 5, line 1, strike out "20", and insert "19".

**Amendment No. 24.5**

On page 5, line 24, strike out "legal adviser".

**Amendment No. 25**

On page 5, strike out all of lines 25 to 32, inclusive, and insert "attorney for the State Engineer, the State Water Resources Board, the Reclamation Board, and the District Securities Commission. The Colorado River".

**Amendment No. 26**

On page 5, strike out all of lines 36 to 42, inclusive.

**Amendment No. 27**

On page 6, line 17, strike out "21", and insert "20".

**Amendment No. 28**

On page 6, line 22, strike out "22", and insert "21".

**Amendment No. 29**

On page 6, line 27, strike out "23", and insert "22".

**Amendment No. 30**

On page 6, line 31, strike out "24", and insert "23".

**Amendment No. 31**

On page 7, line 6, strike out "25", and insert "24".

**Amendment No. 32**

On page 7, line 42, strike out "26", and insert "25".

**Amendment No. 33**

On page 7, line 44, strike out "27", and insert "26".

**Amendment No. 34**

On page 7, line 46, strike out "28", and insert "27".

**Amendment No. 35**

On page 8, strike out all of line 3.

**Amendment No. 36**

On page 8, line 4, strike out "29", and insert "28".

**Amendment No. 37**

On page 8, line 11, strike out "30", and insert "29".

**Amendment No. 38**

On page 8, line 16, strike out "31", and insert "30".

**Amendment No. 39**

On page 8, line 23, strike out "32", and insert "31".

**Amendment No. 40**

On page 8, line 28, strike out "33", and insert "32".

**Amendment No. 41**

On page 8, line 35, strike out "34", and insert "33".

**Amendment No. 42**

On page 8, line 37, strike out "35", and insert "34".

**Amendment No. 43**

On page 8, line 43, strike out "36", and insert "35".

**Amendment No. 44**

On page 9, line 4, strike out "37", and insert "36".

**Amendment No. 45**

On page 9, line 10, strike out "38", and insert "37".

**Amendment No. 46**

On page 9, line 11, strike out "39", and insert "38".

**Amendment No. 47**

On page 9, line 15, strike out "40", and insert "39".

**Amendment No. 48**

On page 10, line 6, strike out "41", and insert "40".

**Amendment No. 49**

On page 10, line 18, strike out "42", and insert "41".

**Amendment No. 50**

On page 10, line 23, strike out "43", and insert "42".

**Amendment No. 51**

On page 11, line 1, strike out "44", and insert "43".

**Amendment No. 52**

On page 11, line 4, strike out "45", and insert "44".

**Amendment No. 53**

On page 11, line 10, strike out "46", and insert "45".

**Amendment No. 54**

On page 11, line 14, strike out "47", and insert "46".

**Amendment No. 55**

On page 11, line 18, strike out "48", and insert "47".

**Amendment No. 56**

On page 11, line 21, strike out "49", and insert "48".

**Amendment No. 57**

On page 11, line 26, strike out "50", and insert "49".

**Amendment No. 58**

On page 11, line 30, strike out "51", and insert "50".

**Amendment No. 59**

On page 11, line 35, strike out "52", and insert "51".

**Amendment No. 60**

On page 11, line 37, strike out "53", and insert "52".

**Amendment No. 61**

On page 11, line 41, strike out "54", and insert "53".

**Amendment No. 62**

On page 11, line 42, strike out "55", and insert "54".

**Amendment No. 63**

On page 11, line 47, strike out "56", and insert "55".

**Amendment No. 64**

On page 12, line 1, strike out "57", and insert "56".

**Amendment No. 65**

On page 12, line 7, strike out "58", and insert "57".

**Amendment No. 66**

On page 12, line 11, strike out "59", and insert "58".

**Amendment No. 67**

On page 12, line 18, strike out "60", and insert "59".

**Amendment No. 68**

On page 12, line 26, strike out "61", and insert "60".



**Amendment No. 69**

On page 12, line 32, strike out "62", and insert "61".

**Amendment No. 70**

On page 12, line 33, strike out "63", and insert "62".

**Amendment No. 71**

On page 12, line 38, strike out "64", and insert "63".

**Amendment No. 72**

On page 12, line 44, strike out "66", and insert "64".

**Amendment No. 73**

On page 12, line 47, strike out "67", and insert "65".

**Amendment No. 74**

On page 13, line 11, strike out "68", and insert "66".

**Amendment No. 75**

On page 13, line 17, strike out "69", and insert "67".

**Amendment No. 76**

On page 13, line 26, strike out "70", and insert "68".

**Amendment No. 77**

On page 14, line 1, strike out "71", and insert "69".

**Amendment No. 78**

On page 14, line 6, strike out "72", and insert "70".

**Amendment No. 79**

On page 14, line 15, strike out "73", and insert "71".

**Amendment No. 80**

On page 14, line 19, strike out "74", and insert "72".

**Amendment No. 81**

On page 14, line 23, strike out "75", and insert "73".

**Amendment No. 82**

On page 14, strike out lines 26 to 52, inclusive.

**Amendment No. 83**

On page 15, strike out lines 1 to 7, inclusive.

**Amendment No. 83.1**

On page 15, line 8, strike out "81", and insert "74".

**Amendment No. 83.2**

On page 16, line 35, strike out "82", and insert "75".

**Amendment No. 83.3**

On page 18, line 4, strike out "the right to the use of which is".

**Amendment No. 84**

On page 19, line 5, strike out "83", and insert "76".

**Amendment No. 85**

On page 19, line 6, strike out "84", and insert "77".

**Amendment No. 86**

On page 19, line 10, strike out "85", and insert "78".

**Amendment No. 86.1**

On page 19, line 14, strike out "86", and insert "79".

**Amendment No. 87**

On page 19, line 34, strike out "87", and insert "80".

**Amendment No. 88**

On page 19, line 39, strike out "88", and insert "81".

**Amendment No. 88.1**

On page 19, line 45, strike out "89", and insert "82".

**Amendment No. 88.2**

On page 20, line 1, strike out "90", and insert "83".

**Amendment No. 89**

On page 20, line 18, strike out "91", and insert "84".

**Amendment No. 90**

On page 20, line 27, strike out "92", and insert "85".

**Amendment No. 91**

On page 20, line 32, strike out "93", and insert "86".

**Amendment No. 92**

On page 20, line 37, strike out "94", and insert "87".

**Amendment No. 93**

On page 20, line 42, strike out "95", and insert "88".

**Amendment No. 94**

On page 21, line 1, strike out "96", and insert "89".

**Amendment No. 95**

On page 21, line 18, strike out "97", and insert "90".

**Amendment No. 96**

On page 21, line 25, strike out "98", and insert "91".

**Amendment No. 97**

On page 21, line 26, strike out "99", and insert "92".

**Amendment No. 98**

On page 21, line 31, strike out "100", and insert "93".

**Amendment No. 98.1**

On page 22, line 16, strike out "101", and insert "94".

**Amendment No. 98.2**

On page 22, line 21, strike out "102", and insert "95".

**Amendment No. 99**

On page 22, line 27, strike out "103", and insert "96".

**Amendment No. 100**

On page 22, line 39, strike out "104", and insert "97".

**Amendment No. 101**

On page 22, line 46, after "Tax Department.", insert "Legal Division of the".

**Amendment No. 102**

On page 23, line 1, strike out "105", and insert "98".

**Amendment No. 103**

On page 23, line 12, strike out "106", and insert "99".

**Amendment No. 104**

On page 23, line 38, strike out "107", and insert "100".

**Amendment No. 105**

On page 23, line 46, strike out "108", and insert "101".

**Amendment No. 106**

On page 24, line 5, strike out "109", and insert "102".

**Amendment No. 107**

On page 24, strike out lines 7 and 8.

**Amendment No. 108**

On page 24, line 9, strike out "111", and insert "103".

**Amendment No. 109**

On page 24, line 18, strike out "112", and insert "104".

**Amendment No. 110**

On page 24, line 25, strike out "113", and insert "105".

**Amendment No. 111**

On page 24, line 35, strike out "114", and insert "106".

**Amendment No. 112**

On page 24, line 47, strike out "115", and insert "107".

**Amendment No. 113**

On page 25, line 3, strike out "116", and insert "108".

**Amendment No. 114**

On page 25, line 15, strike out "117", and insert "109".

**Amendment No. 115**

On page 25, line 21, strike out "118", and insert "110".

**Amendment No. 116**

On page 25, line 26, strike out "119", and insert "111".

**Amendment No. 117**

On page 25, line 37, strike out "120", and insert "112".

**Amendment No. 118**

On page 25, strike out lines 46 to 51, inclusive, and all of page 26.

**Amendment No. 119**

On page 27, strike out lines 1 to 26, inclusive.

**Amendment No. 120**

On page 27, line 27, strike out "125", and insert "113".

**Amendment No. 121**

On page 27, line 39, strike out "126", and insert "114".

**Amendment No. 122**

On page 27, strike out lines 45 to 50, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1772**

Senator Burns moved that Senate Bill No. 1772 be withdrawn from Committee on Judiciary for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1772**—An act to amend Section 563e of the Penal Code, relating to false statements of insolvency.

Bill read second time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

In the title of the act, strike out "amend Section 563e of the Penal Code, relating to false statements of insolvency", and insert "add Section 587d to the Penal Code, relating to malicious injuries to railroad property."

**Amendment No. 2**

Strike out all of lines 1 to 14, inclusive, and insert

SECTION 1. Section 587d is hereby added to the Penal Code, to read as follows:  
587d. Every person who shall wilfully and maliciously remove, displace, destroy or injure any part of any railroad or any property, real or personal, used in the operation thereof, or place any obstruction upon the rails, track or roadbed of any railroad, switch, branch, sidetrack or turnout, or who shall do any act with the intent or for the purpose of derailing or of obstructing the running or operation of any car, train or locomotive engine, or who shall in anywise attempt to prevent any telegraph dispatches or orders for the movement or operation of railroad trains or cars or locomotive engines from being sent or received, shall be deemed guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1797**

Senator Thompson moved that Senate Bill No. 1797 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1797**—An act to add Chapter 10, consisting of Sections 4500 to 4562, inclusive, to Division 2 of the Business and Professions Code, relating to the licensing, course of study, training and practice of practical nurses.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "Practical Nurse", and insert "Medical".

**Amendment No. 2**

On page 1, between lines 12 and 13, insert  
"4502. "Examining committee" as used in this chapter means the Examining Committee on Practical Nursing appointed by and serving under the board."

**Amendment No. 3**

On page 1, strike out lines 16 to 26, inclusive.

**Amendment No. 3a**

On page 2, strike out lines 1 to 4, inclusive, and insert  
"4506. An examining committee to be known as the Examining Committee on Practical Nursing is hereby created. The committee shall function under the jurisdiction of the board. It shall consist of nine members appointed by the board for terms of three years each, except that three of the members first appointed shall be designated by the board to serve for a term of one year, three for a term of two years, and three for a term of three years. In appointing the first members of the examining board, the board shall select four physicians licensed by it, one of which shall be a physician and surgeon, one shall be a physician engaged in general practice, one shall be a pediatrician, one shall be an obstetrician. One member shall be a registered nurse actively engaged in a teaching, administrative, or supervisory capacity in a practical nurse training program; three members shall be practical nurses, and one member shall be a hospital administrator. Thereafter, in making subsequent appointments to the examining committee, the board shall maintain thereon at all times the number and classes specified for appointment on the first committee by this section.

In case of a vacancy the unexpired term shall be filled by the board within 60 days after the occurrence of such vacancy."

**Amendment No. 4**

On page 2, line 8, strike out "five", and insert "two".

**Amendment No. 5**

On page 2, line 9, strike out "three", and insert "one".



**Amendment No. 6**

On page 2, line 9, strike out "practical nurses", and insert "a practical nurse".

**Amendment No. 7**

On page 2, strike out lines 25 to 39, inclusive.

**Amendment No. 8**

On page 2, line 44, after "Division 2", insert "and Chapter 6.5 of Division 2".

**Amendment No. 9**

On page 3, strike out lines 1 to 42, inclusive.

**Amendment No. 10**

On page 3, line 46, strike out "ninth", and insert "eighth".

**Amendment No. 11**

On page 3, line 48, after "; and", insert "as evidence of such health shall submit a health certificate which shall include a Wassermann test and chest X-ray report at the time of his application for a license and each year thereafter at the time of renewal of the license ;

(d) Be of good moral character ;".

**Amendment No. 12**

On page 3, strike out lines 49 to 52, inclusive, and insert

"(e) Shall have successfully completed a course of training in a school of practical nursing in California or elsewhere, and furnish two character references. After January 1, 1955, such applicants shall be graduates of an accredited school of practical nursing ;

(f) An applicant who shall establish satisfactory proof that he or she has engaged in the care of sick persons in this or other states a period of one year and is recommended in writing as a practical nurse or auxiliary nurse or by any similar title by two licensed physicians who have personal knowledge of the applicant's qualifications, and by two persons who have employed the applicant in a licensed hospital, nursing home, institution, clinic, public health agency or a private home, and is recommended in writing by the person or persons directly responsible for supervision of the applicant, shall be deemed to have furnished two character references within the meaning of this section."

**Amendment No. 13**

On page 4, lines 2 and 3, strike out "five dollars (\$5)", and insert "ten dollars (\$10)".

**Amendment No. 14**

On page 4, line 11, after the period, insert "In carrying out its duties, the examining committee may divide itself into subcommittees, in which event each subcommittee shall have all the powers of the committee as a whole."

**Amendment No. 15**

On page 4, between lines 11 and 12, insert "All examinations shall be conducted by such persons and in such manner and under such rules and regulations as the board may prescribe."

**Amendment No. 16**

On page 4, line 28, strike out ", and".

**Amendment No. 16a**

On page 4, line 28, after "injection", insert "and charting".

**Amendment No. 17**

On page 5, between lines 9 and 10, insert "This chapter does not prohibit the practice of nursing by anyone, but on the contrary is intended to aid and encourage the men and women of this State who are interested in attending the sick and injured to become members of the nursing profession."

**Amendment No. 18**

On page 5, line 15, strike out "board", and insert "examining committee".

**Amendment No. 19**

On page 5, between lines 22 and 23, insert

"4541. An accredited school of practical nursing within the meaning of this chapter is one which has been approved by the examining committee and gives the courses of instruction required by the examining committee."

**Amendment No. 20**

On page 6, between lines 22 and 23, insert

"4553. A licensee practicing as a licensed practical nurse without having paid the annual renewal fee and having received a renewal certificate for the current year as provided in this chapter, shall be subject to all the penalties of practicing as a licensed practical nurse without a license."

**Amendment No. 21**

On page 6, line 28, strike out "Practical Nurse", and insert "Medical".

**Amendment No. 22**

On page 6, strike out lines 41 to 43, inclusive.

**Amendment No. 23**

On page 6, line 44, strike out "(b)", and insert "(a)".

**Amendment No. 24**

On page 6, line 45, strike out "any other", and insert "each".

**Amendment No. 25**

On page 6, line 46, strike out "(c) Two dollars (\$2)", and insert "(b) Five dollars (\$5)".

**Amendment No. 26**

On page 6, between lines 46 and 47, insert

"Any applicant who does not qualify to take the examination shall have one-half of his fee returned. The remaining one-half of the fee shall be retained by the committee for processing of the application.

Any applicant who fails the examination may repeat the examination upon payment of a fee of five dollars (\$5). Any applicant who fails the examination twice will be required to take the 64-hour Practical Nurse Refresher Course approved by the National Association of Practical Nurse Education before he is permitted to take a third examination."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**REPORTS OF STANDING COMMITTEES****Committee on Natural Resources**

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 152

Senate Bill No. 102

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

BUSCH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Joint Resolution No. 18

Senate Joint Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

BUSCH, Chairman

Above reported resolutions ordered to third reading.

**ADJOURNMENT**

At 3.35 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Wednesday, April 15, 1953.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

# SENATE DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

SIXTY-FOURTH CALENDAR DAY

## IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 15, 1953

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

## ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—39.

Quorum present.

## PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

## GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Warren McGuire and Frank Peebles of San Rafael.

On request of Senator Way, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Clyde Edmundsen, Secretary-Manager, Redwood Empire Association, San Francisco.

On request of Senators Miller and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Pittsburg Woman's Club: Mesdames Arthur Bernstein, P. A. Birkholm, W. G. Buchanan, Harry Burris, Wm. Buzacott, A. B. Cupp, Vincent Caruso, Hugh Donovan, Glenn Dybdal, Harry Freed, Geo. Grantham, W. W. Hallock, James Honges, Gay Johnson, David Jones, Ellis Jones, Wilbur Jones, L. G. Kennedy, J. M. La Vere, Emma Linseheid, Joseph Lynch, John Mason, G. B. McKnight, Phil Miklich, Wade Moore, Wilbur Moser, Joseph Muirhead, Wm. J. O'Hara, F.

R. Ripplingham, L. A. Richards, F. Schary, G. Slagle, R. B. Veall, Carl Walker, Don Ward, Kenneth Welch, George White, J. F. Wilkin, and Frank Wood.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Robert P. Turner and Clifford Tyler of Victorville.

On request of Senator McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Frank Mack of Mill Valley.

On request of Senators Miller and Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following women of the Farm Bureau Home Department: *San Pablo*—Mrs. Frances Golden, Miss Joan Golden, Mrs. Nanna Carver, Mrs. Rilla Ward, Mrs. Rae Schmit, Mrs. Virginia Cavile, and Mrs. Ozell Pope; *Martinez*—Myrtle M. Hatchaw, Maxine Price, Rita Hall, Dean Hill, Betty Cobb, Margaret Plummer, and Mickey Warnholz; *Rodeo*—Albertina Lawrence, Cecelia Wennerholm, Lillian Preston, Edna Fitzgerald, Carrie Guppy, Merle Stern, Gwen Winship, Helen Fitchett, Frances Pink, Maude Badger, Minnie K. Hart, Mae A. Joseph, Ella B. Ackermann, Theresa Lewis, Olga Isakson, Ingrid Miller, Connie Hoekstra, and Kathryn Friend; *Orcuta*—Nita Courant, Mrs. D. V. Killingsworth and Mrs. G. R. Thomson; *Walnut Creek*—Beatrice Spears, Dorothy Holman, Esther L. Sharpe, Charlotte Hoffschneider, Doris Wiedenmann, Gladys Henkel, Ida Menegus, Genevieve Muth, Ruth Shokal, Lena Leley, Theresa Maatta, Blanche Macfarlane, Catherine Chapman, Ann Kaplan, Mildred F. Sheets, Ona May Hamby, Ellen Wikander, Peggy Tompkins, Peggy Pringle, Alice E. Tyer, and Edith Bodway; *Concord*—Florence Littorno, Katherine E. Fox, and Alice Barton; *Lafayette*—Bert Emery, Ethel Turner, Peggy Nordlund, and Madeline Rhodes; *Knightsen*—Christine Hobbs, Myrie Somerhalder, and Esther Somerhalder; and Mrs. Antonio Turrin, advisor.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernest E. Debs, Member of the City Council, Thirteenth District, Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Aisah, Mr. Gondo, Mr. Soejito, Mr. Patti, Mr. Rose, from Indonesia, now studying at the University of California.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Regina Marie, Sister Catharine Julie, Sister Gerard Marie, and the following pupils of the Notre Dame High School: Beverly Allen, Elaine Arnanini, Robin Bestick, Sharon Boucher, Barbara Bruce, Mary Bunyan, Joel Burke, Gay Cameron, Shirley Cerf, Linda Chapman, Honor Denney, Ann Diedrichs, Nancy Eibert, Jean Ferlick, Mimi Figueroa, Katherine Fox, Joyce Fullmer, Jeanne Gamel, Carol Granelli, Gladys Guerrero, Ann Gustafson, Dorothy Harbaugh, Gail Hennessy, Sheila Kelley, Georgette Kilby, Diane Klassen, Katherine Langdon, Marjorie Loftus, Jane Mallen, Sharon Maloney, Sandra McAfee, Patricia McCormick, Marlene Menne, Mary Miller, Marilyn Mollenhan, Grace Morabito, Arla Nielsen, Dolores Nissen, Frances Nooney, Catherine Oswald, Kay Pickering, Barbara



Plath, Barbara Prato, Margot Ralley, Donna Hearne, Lois Roach, Mary Jane Rockwell, Nancy Roddy, Elsie Schmidt, Lucille Schmitz, Carolyn Spillane, Jean Stegall, Vera Jean Wescott, Sylvia Wilson, Mary Wyatt, Jane Adam, Marguerite Aeberhard, Estella Allison, Karen Almquist, MaeSona Ayers, Nadine Bassett, Mary Beasley, Marjorie Bergmann, Ann Bunker, Nancy Cabot, Kathleen Clawson, Patricia Collins, Martha Cuellar, Joan Denney, Lynne Diedrichs, Mary Elizabeth Donnelly, Carol Donohue, Patricia Duff, Alice Egger, Joan Fullmer, Gael Gander, May Rose Giusti, Joan Grant, June Griffin, Cathleen Gross, Claire Hahir, Marcia Hayward, Diane Higgins, Delia Kane, Eleanor Korhummel, Karen Kramer, Lee Larsen, Carla Loeffler, Donna Lyons, Beverly Maestri, Judith Maginnis, Patricia Mallen, Pamela Marley, Diane Mayer, Patricia McCabe, Katuska Medina, Jane Miller, Sheila Murphy, Emma-Lee Nissen, Betsy O'Gara, Viola O'Leary, Diane Raoul-Duval, Irma Rivera, Aileen Rixen, Jance Rowe, Mailia Sandoval, Paula Scribante, Diane Shaddick, Virginia Smith, Maureen Tone, Maria Villacorta, Karen von Emster, Patricia Walker, and Nora Wulff.

On request of Senators O'Gara and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred W. Ross of Corte Madera.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Marjorie Brandon and Martin Tieburg of San Francisco.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. J. O'Brien and Mrs. Dorothy Bardue of Sacramento.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructors Mr. Ross Jacobs and Mr. Richard Benson, and the following Roseville seniors: Barbara Aitken, Jim Bell, Donald Benedetti, Sharlee Boone, Marilyn Bottomley, Pauline Bousios, Niel Brink, Bonnie Jean Brown, Mary Jo Brown, Peter Capovilla, Robert Cooley, Yvonne Couvrette, Frank Covington, Leonard Cramer, Glendon Dillingham, Barbara Erickson, Harry Ghilarducci, Stanley Gould, Mary Lou Guilbert, Juanita Harris, Don Heldt, Eddie Hintz, Helen Holmes, Jerry Howard, Lynn Huntington, Bill Johnson, Fred Karacas, Leo Keller, Janien Lambert, Jean Lowe, Vita Matranga, Donna Kay Mavy, Marilyn Middleton, Janice Miller, Belle Morris, Dee Nash, Elizabeth Nelson, Elbert Omachi, Dale Owen, Archie Palos, Frances Partain, Christine Perez, Beverley Poquet, Bernerd Pendergast, Merle Ruggles, Leonard Salmon, Richard Segara, Joan Sessano, Shirley Smallwood, Jim Smith, John Sniffen, Paul Stamas, Leon Stanley, Lawrence Stewart, Elizabeth Strain, Wayne Terry, Shirley Toombs, Diane Venturi, Theresa Von Fluee, Tony Vuletich, Sharon Walmsley, Maralyn Walker, Imogene Wittsche, Roger White, Margie Yamane, and Joan Zien.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to adults Mr. and Mrs. Joseph Soto, Mr. and Mrs. Charles Hillis, Mrs. B. Cefalu, Mr. and Mrs. George Shambrook, Mrs. Roy Johnson, Mrs. A. A. Rodericks,

and the following students of Mayfair 4-H, Berryessa School: Josephine DeMaria, Wesley Dodd, Philip Haynes, Barbara Johnson, Peter Sparacino, Nick Zoria, Dorothy D'Amico, LeRoy Rodericks, Geraldine Rodericks, Sharron Landi, Alfred Lopes, Gary Reynolds, Dianne Sanguinetti, Rex Ann Taylor, Jim Hillis, David Soto, Joe Soto, Larry Fuller, Salvatore Cefalu, Kathleen Clementi, Rena Nicolson, Linda Iantosea, and Robert Johnson.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to instructor George Staley and the following students from Stockton College: Bill Linn, Edmund Wong, Diane Price, Susan Hom, Dora Hansen, Sandra Alberti, Ken Angel, Hoy Nordwick, Charles Gary, William Miller, Floyd Weaver, Don Guidice, Carole Grainger, Marilyn Moran, Adger Blackwell, Bob Padecla, Wayne James, Don Latimer, Bill Keiler, Edwin Carver, Ed James, Harvey Weinreich, Ronald Serlea, Tom Michel, Orval Hieb, Donn Creger, Helen Chase, Janice Polk, Jacklyn Dubois, Susie Mah, and Shirley Fong.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Merideth L. Campbell of National City.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Stockton League of Women Voters: Mesdames Lyra M. Daley, John Freeman, Edgar Schwartz, Ellen Douglas Moule, Ralph Vail, Esheltz McLeod, M. G. Woodward, David H. Smith, Miss Stella Barnett, Mesdames H. A. Bradley, C. H. Kadie, B. L. Welker, E. O. Boquist, Guy G. Bowman, Herbert R. Kitto, Gene Gebbard, and Charles D. Pickering.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry Pinajian, John Kosieris, George Anton, Peter Essayan, and Norman Aaronian, all from Fresno.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adults Miss Mildred Deily, Mrs. Laura White, Mrs. George Stammerjohan, Mrs. Joe Serpa, Mrs. Sam Passalacqua, Mr. Paul Follis, and the following Eighth Grade students from the Keyes School: Bill Alamsha, Darlene Bartlett, James Blaylock, Carolyn Brazil, Jimmy Brummett, Richard Bughi, Walter Crabtree, Robert Denton, Alice Dunnagan, Beverly Harryman, Will Hughes, Bill Ledbetter, Roy Linam, David Maggard, Tony Martinez, Patricia McBride, Junior Moore, Jim Morgan, Bill Morris, Katheryn Myers, Jerry Myers, Larry Passalacqua, Diane Pera, Glenda Reed, Sally Ritchey, Jerry Sanders, Ralph Serpa, Eddie Scott, Eva Scott, George Stammerjohan, Bob Stitt, Jean Stovall, Johnny Taylor, William Taylor, Eileen Thompson, Dorothy Todden, Fred Winters, Doris Woodward, and Barbara Yonan.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray Walsh and Milton Holmes of Fort Bragg.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Oscar D. Mueller and the following students of the Trinity Lutheran School: Christine Berg, Judy Hirning, Marilyn Johnson, Paul Koepsell, Richard Schmiedt, Susan Sprecher, Robert Zimmerman, Lila Bower, Kathy Koepsell, Melanie LeGate, John Simpson, Lillian Wallin, Helene Wentzel, Louain Zahn, Billye Becker, Lucinda Bishop, Virginia Bower, Margaret Haug, June Hendrickson, Kenneth Holsten, Spencer LeGate, Diana Mindt, Lee Thompson, Betty Aaron, Arden Hall, Robert Hart, Conrad Haug, Robert Helm, Thomas Hollander, Wilbur Pullmann, Catherine Simpson, and Dennis Voos.

On request of Senators Parkman and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. T. Prather of Whittier.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Fred O. Miller, Monterey Park; Mr. and Mrs. Walter F. Swartz, Los Angeles; and Karl Samuelson, Palo Alto.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Pearle K. Roche, Mr. Lazzarini, Mrs. Coleman, Supervisors, and the following students from the Bret Harte School, Hayward: Ronald Amadova, Thomas Anderberg, Earl Anderson, Charles Aro, Neil Beckley, John Dickson, David Duron, Marlo Edman, Alexander Gomes, Gene Kregger, Richard Perry, Larry Sipe, Wayne Sponsel, Dale Twiss, Carl Hartmen, Gary Bruno, Cecelia Alvarez, Noreen Bell, Pat Benhart, Margaret Clifford, Barbara Cremerosa, Eleanor Garcia, Donna Hylton, Diana Jennings, Sheri Lane Moore, Alicia Pruitt, Norma Santiago, Patsy Talent, Claudia Ferrara, Janice Furtado, Marlie Norris, Fred Brown, Charles Conrad, Creighton Davies, Donald Flowers, Merlin Foss, Norman Hayashi, Grady Little, Adison Mason, Gary McKenzie, Gary Peterson, Tom Plant, Richard Rushton, James Schwabenland, James Souza, Charles Suppus, Kenneth Ulibarri, John Valin, Dick Volpe, Mary Lou Barrett, Barbara Birch, Judy Edner, Barbara Jardin, Gloria Jiminez, Marleen Ludwig, Brenda Odegaard, Judy Olivera, Alice Pitts, Janet Plemmons, Linda Richards, Sharon Rysavy, Coleen Skarphol, Nevada Stanaland, and Donna Warntjes.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 13  
Assembly Bill No. 533

Assembly Bill No. 1975  
Assembly Bill No. 2739

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 86  
Assembly Bill No. 1068  
Assembly Bill No. 1079  
Assembly Bill No. 1092

Assembly Bill No. 1346  
Assembly Bill No. 2507  
Assembly Bill No. 3344

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk



ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 52

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 71

Senate Bill No. 404

Senate Bill No. 636

Senate Bill No. 762

Senate Bill No. 1633

Senate Bill No. 1718

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 31

Senate Joint Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 72

Senate Bill No. 93

Senate Bill No. 196

Senate Bill No. 232

Senate Bill No. 238

Senate Bill No. 241

Senate Bill No. 242

Senate Bill No. 260

Senate Bill No. 387

Senate Bill No. 388

Senate Bill No. 481

Senate Bill No. 529

Senate Bill No. 576

Senate Bill No. 721

Senate Bill No. 761

Senate Bill No. 844

Senate Bill No. 1068

Senate Bill No. 1162

Senate Bill No. 1224

Senate Bill No. 1351

Senate Bill No. 1564

Senate Bill No. 1652

Senate Bill No. 1776

Senate Bill No. 1778

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 555

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

**Assembly Bill No. 555**—An act to add Section 705.5 to the Vehicle Code, relating to transportation of saw logs.

Referred to Committee on Transportation.



## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 569

Senate Bill No. 1217

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 960

Senate Bill No. 1178

Senate Bill No. 961

Senate Bill No. 1545

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 429

Senate Joint Resolution No. 28

Senate Bill No. 1257

Senate Joint Resolution No. 29

Senate Bill No. 1743

Senate Joint Resolution No. 18

Senate Bill No. 1798

And reports the same correctly engrossed.

POWERS, Chairman

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 686

Assembly Bill No. 2006

Assembly Bill No. 844

Assembly Bill No. 2007

Assembly Bill No. 1525

Assembly Bill No. 1991

Assembly Bill No. 2004

Assembly Bill No. 2016

Assembly Bill No. 2005

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bills ordered to second reading.

## Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 2888

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

KRAFT, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Assembly Bill No. 54

Assembly Bill No. 1515

Assembly Bill No. 558

Assembly Bill No. 2322

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: Assembly Bill No. 2912

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Chairman

Above reported bill ordered to second reading.

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred: Assembly Bill No. 2073

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

PARKMAN, Chairman

Above reported bill ordered to second reading.

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 104

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

## Request for Unanimous Consent

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Resolution No. 104, at this time, for consideration.

## CONSIDERATION OF SENATE RESOLUTION NO. 104

## Senate Resolution No. 104

Relative to the continuance of the Senate Interim Committee on Petitions and Complaints

*Resolved by the Senate of the State of California, As follows:*

1. The Senate Interim Committee on Petitions and Complaints created by Senate Resolution No. 29 of the 1952 Second Extraordinary Session and continued as a Senate committee until April 15, 1953 by Senate Resolution No. 76 of the 1953 Regular Session is continued until June 1, 1953, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature until June 1, 1953, with authority to file its report not later than that date.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and unanimously adopted on motion of Senator Dilworth.

## COMMUNICATIONS

The following communication was received and read, and ordered printed in the Journal:

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA  
SACRAMENTO, March 13, 1953

*Mr. Joseph A. Beek*  
*Secretary of the Senate*  
*California State Legislature*  
*State Capitol*

DEAR MR. BEEK: At the special meeting of the Water Project Authority held on April 7, 1953, Senate Bill No. 1657 as amended on March 24, 1953, was considered. At that meeting the following motion was made by State Controller Kirkwood, seconded by Attorney General Brown, and unanimously carried:

"That the Executive Officer of the Water Project Authority inform the Senate and the Assembly that the Water Project Authority is disturbed by reports of inclusion in pending water department reorganization bills of changes in substantive law relating to powers of districts which may affect operations of the Water Project Authority, and that if such reports are true, the Authority expresses the hope that such substantive changes can be presented in separate bills in order that the Authority may have the opportunity of considering separately the subjects of reorganization and changes in substantive law."

It is respectfully requested that you bring to the attention of the members of the Senate the action taken by the Water Project Authority of the State of California.

Very truly yours,

A. D. EDMONSTON, Executive Officer

## INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

**Senate Concurrent Resolution No. 57:** By Senators Cunningham, Brown, and Powers—Relative to reciprocity with the State of Nevada.  
Referred to Committee on Rules.

MOTION TO PRINT REPORT OF THE DEPARTMENT OF  
MENTAL HYGIENE

Senator Powers moved that the following report of the Department of Mental Hygiene to the Chairman of the Senate Finance Committee and the Chairman of Assembly Ways and Means Committee, Recommending Financing of the State Mental Clinics and Regarding the Nature and Scope of the Mental Hygiene Clinic Program, be printed in the Journal.

Motion carried.

STATE OF CALIFORNIA  
DEPARTMENT OF MENTAL HYGIENE  
SACRAMENTO, April 13, 1953

*Honorable Harold J. Powers*  
*President pro Tempore, Senate*  
*State Capitol, Sacramento, California*

DEAR SENATOR POWERS: Enclosed are copies of two reports which have been submitted to the Chairman of the Senate Finance Committee and the Chairman of the Assembly Ways and Means Committee. The reports are "Report and Recommendations to the Legislature on Financing of State Mental Hygiene Clinics" and "Report to the Legislature on the Nature and Scope of the Mental Hygiene Clinic Program."

It is the recommendation of Senator George J. Hatfield that these reports are of such value and significance that they should be made available

to all Members of the Legislature by having the reports printed in the Senate Journal. I am pleased to comply with this recommendation and am submitting the reports to you accordingly. I should like to call your attention to Senate Bill 1617, which was introduced by Senator Abshire; this measure can be utilized as a vehicle to accomplish the principles and program of financing community mental hygiene clinics through participation by counties and communities with the State.

Respectfully submitted,

FRANK F. TALLMAN, M.D.  
Director of Mental Hygiene

## **REPORT AND RECOMMENDATIONS TO THE LEGISLATURE ON FINANCING OF STATE MENTAL HYGIENE CLINICS**

### **INTRODUCTION**

During the 1952 Budget Session of the State Legislature it was requested by the legislative committees studying the Department of Mental Hygiene's budget, and by the Legislative Auditor, that the Department of Mental Hygiene make a study of the financing of state mental hygiene clinics. It was suggested that the question of partial community support of the clinics be explored. This report will state how this study was made, giving the findings and opinions encountered and setting forth recommendations resulting from the study.

### **PROCEDURE**

The Department of Mental Hygiene questioned nine nonstate mental hygiene clinics established and financed entirely by local communities throughout the State, namely:

1. Child Guidance Clinic, Los Angeles.
2. The Henrietta Weill Child Guidance Clinic, Bakersfield.
3. Long Beach Mental Hygiene Clinic.
4. Pasadena Child Guidance Clinic.
5. Mental Hygiene Clinic of Santa Barbara.
6. Mental Health Service, San Jose.
7. Mount Zion Psychiatric Clinic, San Francisco.
8. Sonoma County Mental Hygiene Clinic, Santa Rosa.
9. Ventura County Mental Health Center, Oxnard.

The Mount Zion Psychiatric Clinic in San Francisco replied by saying that the State Department of Mental Hygiene should adopt an experimental policy and, after putting it into effect, study the results of the experiment. The other eight clinics gave specific answers which will be summarized below.

The California Advisory Committee on Mental Health was asked by the department to study the question of partial community financing of state mental hygiene clinics. The Chairman of the Advisory Committee, Justice W. Turney Fox, appointed a special sub-committee for this study with Dr. Norman Reider, Director of the Mount Zion Psychiatric Clinic in San Francisco, as the Chairman. Dr. Reider's first move was to ask Dr. R. H. Felix, Director of the National Institute of Mental Health, for



his experiences on a nation-wide scale with this problem. Dr. Felix's findings and opinions are given later in the report.

The Director of Mental Hygiene asked the following organizations for their advice as to whether the communities in which state mental hygiene clinics have been or will be established should be expected to share in their cost:

1. Child Welfare Section, American Legion, Department of California.
2. California Congress of Parents and Teachers.
3. California Taxpayers Association.
4. League of California Cities.
5. California State Chamber of Commerce.
6. California Federation of Women's Clubs.
7. League of Women Voters of California.

Replies have been received from six of these organizations. The League of California Cities, however, has asked a committee to study the problem; this committee held its first meeting at the Claremont Hotel in Berkeley, January 30, 1953, and a report of that meeting has not yet been received.

Dr. Kent A. Zimmerman, Chief, Mental Health Service, Department of Public Health, who was deputized by Dr. Halverson to administer the National Mental Health Authority during the period when this authority was in the State Department of Public Health, was also asked for his experiences over the period 1946 to 1951.

The State Mental Health Coordinating Committee, established in the fall of 1951, and representing seven state departments with mental hygiene as an important part of their programs, was also asked to study this question. The seven departments represented on this committee are:

- Department of Corrections.
- Department of Education.
- Department of Mental Hygiene.
- Department of Public Health.
- Recreation Commission.
- Department of Social Welfare.
- Youth Authority.

As the state mental health authority since July 1, 1951, the State Department of Mental Hygiene has obtained data from clinics wholly or partially supported by National Mental Health Act funds, but in no case receiving any state money. The difficulties in financing experienced by these clinics have been explored and their pattern of financing for the past two fiscal years has been tabulated. All of the clinics receiving National Mental Health Act funds have been personally contacted and supervised by the Deputy Director of Community Services, so that first-hand knowledge of the workings of these nonstate mental hygiene clinics is available.

**FINDINGS AND RECOMMENDATIONS OF THE VARIOUS COMMITTEES,  
ORGANIZATIONS, AND NONSTATE CLINICS****Questionnaire From the Department of Mental Hygiene to the Nine Nonstate  
Mental Hygiene Clinics and Summary of Replies**

1. *Should all of our state mental hygiene clinics, or just new ones be partially supported by the local communities in which they exist?*

None of the eight clinics was against partial local support, but one considered it almost too difficult and one expressed a divided opinion.

2. *If the former, should communities be given a period of time, like four years, to take up their share of the financial burden in steps?*

All eight clinics were strongly in favor of the community's being given a period of time in which gradually to take up its share of the financial burden; three clinics emphasized community preparedness and agreement beforehand; one clinic felt that four years was not long enough to give the community a chance to completely take over.

3. *Should the State, in this event, supply all personnel under state civil service?*

With respect to personnel being under state civil service, four clinics said no and four said yes. The answers were not unqualified, however. One clinic was against state civil service on the basis of loss of local control thereby. Two clinics thought that it was only right for the personnel to be under state civil service if the State was supporting the clinic. One clinic said that some of the personnel might be under state civil service and some not.

4. *Should communities supply rent, equipment, supplies and operating expenses?*

All eight clinics were in favor of the community's supplying such items as rent, equipment, supplies and operating expenses in whole or in part.

5. *Should fees collected be used for technical supplies needed by psychologists and play therapists?*

All eight clinics were in favor of the fees collected being used to defray clinic costs but three felt that fees need not be earmarked for any particular use, and one said that a percentage of the fees should go to the State according to the percentage of state support.

6. *Should the State do all the bookkeeping and pay all the bills, while communities pay their contributions into the state treasury?*

All eight clinics were unanimously opposed to the State's doing the bookkeeping and paying the bills; all the clinics wished the money to be handled locally.

7. *What have been the experiences in your community in getting community support for nonstate mental hygiene clinics?*

The replies to this question were, of course, peculiar to each locale; however, all nine clinics agreed that they had experienced difficulties in getting community support, in most instances a struggle, and in only one case was there no grumbling or special difficulty reported. It is noteworthy that in the latter instance a whole group of communities support the clinic and receive in return hours of service proportional to their investment.

Excerpt From Letter of R. H. Felix, M.D., Director, National Institute  
of Mental Health, Dated October 9, 1952

"With regard to your request for our opinion as to the advantages and disadvantages of having communities take over mental hygiene clinics and facilities so that they can be supported at least in part by local funds, I feel that there is an advantage in the local community supporting at least part of the clinic budget. Grant-in-aid was originally thought of as a means to prime the pump, so to speak, and assist the community in starting a project. The community was expected to take over the activity eventually. In our mental health program many states require at least one-third local financial support (Virginia and Ohio are examples.) In many states there is an understanding between the granting state agency and the community representatives that eventually the amount of grant funds will be discontinued or gradually reduced. In most instances, the community has maintained the activity even after funds have been withdrawn. In the past year we have observed that state support of several active clinics (14) was discontinued. Our figures for all mental health activities including clinics show a gradual increase in state and local funds since 1948 from slightly over \$3,000,000 to \$9,000,000 at the present time. Our information indicates that \$3,000,000 is from public and private sources.

"Reports from 152 full-time and 136 part-time clinics as of June 1952 show the following: The average cost of operating each of these clinics is about \$20,000 per annum. Of this amount, 28 percent, or \$5,600 comes from state money; 9 percent, or \$1,800 from local public funds; 30 percent, or \$6,000 from local private funds; 30 percent, or \$6,000 from federal funds; and 3 percent, or \$600 from fees and other resources.

"As the above seems to indicate, grant-in-aid has encouraged states to appropriate matching funds and to embark on a more comprehensive mental health program. The following seems to have resulted from state and federal funds being available to local clinics:

- "1. When the grant-in-aid program started in 1947, many communities had a small amount of funds which could have been used for mental health services, but were not being utilized because professional people were not available and there was no mental health activity in which the various groups could pool their funds in order to procure services. These communities were able to use these funds to match state and federal funds and with this total amount, they brought into the community a clinic which helped to round out the community services for health and welfare.

- "2. After these clinics had been in operation for a short time, interest was stimulated in mental health generally, and most communities recognized new needs for clinic services and contributed additional funds to increase the staff or improve clinic facilities.

- "3. With this increased financial participation more local interest was generated in clinic operations. The pride of local ownership seems to be an important factor and may play some part in prompting communities to assume the entire budget, thereby giving up state and federal support. The trend in this direction is slow, however, and some communities may never be able to or willing to support the entire budget.



"The following problems arise when state and federal funds are withdrawn from clinics:

"1. Many communities, although they have some funds, may find it impossible to support the entire budget for years to come. If funds were withdrawn from these clinics, all services are likely to be lost, because it is difficult to maintain anything less than a complete clinic in a community.

"2. In the poorer areas the need for clinic services seems to be greatest because there are no private or other psychiatric facilities in the community. It is difficult to attract clinical personnel to these areas. While these communities may be able to contribute something to the operation of a clinic, its limit on available funds is soon reached. When the state granting agency withdraws funds, the staff must be reduced and, as stated before, the remainder will eventually leave. To withdraw funds under such circumstances to start clinics in similar communities is wasteful and very discouraging.

"In order for the state granting agency to stimulate the greatest local support for clinics it should (1) establish policies which require local matching funds at the time the clinic is established with an agreement for gradual reduction of state and federal funds according to the community's ability to give financial support; and (2) study the community in which a clinic is located to determine if and when it is able to support part or all of the clinic budget. This should be a joint effort between the state agency and representatives of the community.

"I can see no disadvantages in having communities take over clinics thereby freeing funds for other activities. There are those directing programs in a few states who feel otherwise and supply the total budget for local clinics. It is argued that these are public activities which should be shared with everyone in the state, and public taxes is the fairest method of financing. They also feel a state clinic is freer from local influences and that the state qualifications for staff are usually higher. They point out that local financing is not dependable from year to year and that staff is harder to obtain under these circumstances."

#### REPLIES TO THE LETTER FROM THE DIRECTOR OF MENTAL HYGIENE

Excerpt From Letter of Mrs. William A. Huggins, Sacramento, California  
Federation of Women's Clubs, Dated December 28, 1952

"I have contacted some district chairmen and other interested members in order to get a cross-section of opinion. It is felt by many members that more clinics are desirable, to be located in the less prosperous areas of the State, and that it would be possible to extend the services if the State did not have the full financial responsibility for them.

"Federated club members in communities where the clinics are located realize that they render a great service and feel that a change in the financing might make it possible to expand the services of the existing clinics, and make available similar mental health services in areas now unable to have them if they are entirely state-supported.

"It is generally felt that perhaps two-thirds of the expense could be borne by the State, the remaining one-third to come from the local communities. In clinics already established some plan of financing could be



worked out so that over a period of perhaps 10 years, the same percentage of support would be in effect. With some of the support borne by the local communities, more interest in this essential program would be stimulated.

"The problems of mental health in our State are of major concern to our members, and we are anxious at all times to be of assistance in helping to solve this problem in our State."

**Letter From Mrs. P. D. Bevil, President, California Congress of  
Parents and Teachers, Inc., Dated December 8, 1952**

"In reply to your letter of November 14th, I am asking our district presidents in the various areas where the clinics exist to sound out public and official opinions, and to reply as promptly as possible.

"I will let you know the results."

**Excerpt From Letter of Mr. James Mussatti, General Manager, California  
State Chamber of Commerce, Dated November 24, 1952**

"You request in your communication to our president that we advise you as to whether communities should pay a part of the cost of operating mental hygiene clinics. In order to answer this question, it would be necessary to develop essential factual material, which would include the ultimate cost of the program, fee schedules, social service in determining ability to pay and benefits derived by patients. We simply do not have the staff to ferret out such information, and therefore we are not in a position to make recommendations to you on this matter."

**Excerpt From Letter of Mr. Richard Graves, Executive Director, League  
of California Cities, Dated November 25, 1952**

"I regret we do not have the professional technical information upon which to make a judgment and I am, therefore, sending your letter to Dr. David Frost, Health Officer of the City of Alameda, who represents the municipal health officers on the board of directors of the league. Dr. Frost will be requested to take the matter up with other municipal health officers and to give us the benefit of their opinion."

**Excerpt From Letter of Mrs. Winston W. Crouch, President, League of  
Women Voters of California, Dated January 6, 1953**

"At this time we do not feel that the league is in a position to answer the specific questions you raised relative to state or local financing of the all-purpose community mental hygiene clinics. It is certainly a question that is being raised in other fields, and will take a lot of serious thought and study to find the best answer for the State and the local community as well as the people involved.

"The league is interested, and has long been interested, in state-wide programs designed to help those persons who have developed emotional and personality problems and to provide for the prevention of mental illness. We shall be closely watching legislation in this field, and shall be pleased to see and consider any information you may wish to send us on such proposed legislation."

**Excerpt From Letter of Kent A. Zimmerman, M.D., Chief, Mental Health Service,  
State Department of Public Health, Dated December 18, 1952**

"As you may well be aware, there is a growing move in local communities to further consolidate government functions. Because of this and following certain consultations with some of my colleagues here in the

health department, we suggest for your consideration the wisdom of calling this problem of financing the clinics to the attention of two groups. The first is to the Health and Hospital Committee of the Supervisors Association. The second is to the California Conference of Local Health Officers. My colleagues here in the department feel that the health officers would be vitally interested in this kind of a problem and they may well be called upon for their opinion by their local supervisors. The mechanism by which this may be done is for you to write a letter to Dr. Ellis Sox, of the City and County of San Francisco Department of Public Health, in his capacity as chairman of the Committee on Administrative Practices of the Conference of Local Health Officers. This committee will meet in the middle of January. A copy of this letter should be sent also to Dr. Roy O. Gilbert in his capacity as president of the California Conference of Local Health Officers. His address is the Los Angeles County Health Department, 241 North Figueroa Street, Los Angeles. A copy of the letter should also be sent to Dr. John Dement, Chief, Division of Local Health Service, State Department of Public Health, at this address. In this letter you might request the Committee on Administrative Practices to consider giving the problem to one of its study committees for consideration. The study committee usually examines the problem thoroughly, makes a report to the Administrative Practices Committee, which, in turn, if it approves, offers resolution about the problem to the entire conference. These resolutions then become the basis for policy and action by the local health officers with their local governments.

"I shall be glad to help you in any way I can in this matter. I feel the local health officers would be very interested in this plan since in several situations there is the precedent that local funds as budgeted in local health agencies may be used for the support of mental hygiene services. For example, the San Joaquin County Health Department contributes funds from its own budget, as do some other county agencies, in support of a county-wide mental health project. This is true also of the Contra Costa County Health Department, and at one time some funds from the San Jose City Health Department were contributed to the general budget of the Adult and Child Guidance Clinic of Mental Health Service, a local mental hygiene clinic."

**Letter From Kent A. Zimmerman, M.D., Dated January 29, 1953**

"You requested information from this office relative to the problem of local financing of psychiatric clinics during the time the State Department of Public Health was the State Mental Health Authority. I shall be as brief as possible and limit my remarks to actual community clinic services.

"As you may recall, the Advisory Committee to the State Mental Health Authority during the years 1946-1951 developed the policy of gradual reduction of grants over a three to five-year period to the clinics approved for support by National Mental Health Act funds. Even though this policy was made clear at the beginning of the grant, community groups who were sponsored or had responsibility for direction of the community clinics never really began to face the problem of financing until their backs were up against the wall, financially speaking. When this crisis occurred, the board of directors of clinics usually sought funds

by trying to interest wealthy individuals to donate sums to the clinic, or they would apply for Community Chest funds. It was the experience of practically all clinics that did this to exist in a state of trepidation from year to year because of a lack of financial support, and the fluctuation in the success of communities in reaching their Community Chest goals was almost universally discouraging.

"Over this period of time the clinics which had the most financial stability were those which could count on the resources of rather large institutions or local government funds. For example, from the beginning the Child Guidance and Consultation Service of San Mateo County had almost all its entire support from funds voted by the county board of supervisors. Psychiatric clinics which were part of large on-going institutions also seemed to have stability of financial structure even though a large proportion of their budget came from Community Chests. Being a part of the institution did not make them as vulnerable as isolated community clinics. Examples of these clinics were the Child Guidance Clinic at the Children's Hospital in San Francisco and the Mt. Zion Hospital Outpatient Psychiatric Clinic.

"Separately incorporated mental hygiene clinics, even though long established and which had had Community Chest support over this time, would have wide fluctuations from year to year in their budget estimates. National Mental Health Act funds were used for a few years to bolster budgets of such clinics over periods of particular crisis. Examples of these clinics are the Henrietta Weill Child Guidance Clinic of Bakersfield and the Long Beach Mental Hygiene Clinic in Long Beach.

"Clinics which were most vulnerable financially were those started new in communities. It took a relatively long time—three to five years—for a stable community leadership group to form around the clinics and to establish a group which would assume a good deal of the responsibility and work necessary for development of a plan for obtaining local community funds for the support of these clinics. The Mental Health Service of Santa Clara County has gone through a particularly trying time experimenting with the best way to finance a clinic in that community from local funds. At the present time they have found their best support comes from a mail letter campaign. However, even this financing is largely due to the efforts and activities of one very energetic community member, and should he leave, the financing would again become most unpredictable. The clinics in more rural communities such as the Sonoma County Mental Hygiene Clinic seemed to have a more difficult problem in this regard than did new clinics in the cities. Generally speaking, community resources of rural areas are not as well organized as those in the urban districts of the State and hence the problems facing a board of directors for local financial support in such cases are even greater.

"It is my impression from this experience that a community can raise a certain amount of funds without too much back-breaking effort to support these expensive but necessary services. However, the community does need a certain amount of funds they can count on from year to year to build up and maintain a competent and well-trained staff which spends enough time together in the clinic to work as a team. Some plan of support which could provide half the cost of a budget of such a community clinic would more readily invite the continuous giving of local



community funds since the project would have more likelihood of continuous growth in its service to the community under this more reliable source of support."

**Excerpt From the Minutes of the State Mental Health Coordinating  
Committee's Meeting of January 12, 1953**

"Considerable discussion took place regarding possible implications such as the chances of securing cooperation between the State and local agencies in the administration of such a program; effect on present public school services for parent-child guidance; the eventual character of mental hygiene clinics, i.e., adult, child, parent-child or 'all-purpose'.

*"Dr. Fenton moved that the Mental Health Coordinating Committee go on record favoring the principle of community participation in financing mental hygiene clinics. Seconded by Dr. Zimmerman. Carried."*

**Excerpt From Letter From Deputy Director of Community Services,  
Department of Mental Hygiene to Norman Reider, M. D.,  
Mt. Zion Psychiatric Clinic, Dated November 18, 1952**

"Since I have been in this position during the past 18 months, I have personally participated in community organization of mental hygiene programs in 12 different counties. My general procedure has been first of all to find out at what stage the community is in its thinking and to help them go on from that point both to assess their resources and to define their needs. For this purpose, I have referred survey groups to the G.A.P. report on 'An Outline for Evaluation of a Community Program in Mental Hygiene.' Preparedness and sophistication vary, of course, from community to community, but I have found that in every case the community has taken longer than it anticipated to formulate a program. Generally speaking, one should allow approximately a year for this preparatory work before it is possible to establish a clinic on any sort of basis.

"I have found that taxpayers associations feel very strongly that money from property taxes in county treasuries should be used, if at all, merely to supplement funds from other sources. The argument is that supporting clinical services for all of the people in a community out of county funds puts an unfair burden upon the property owners. On the other hand, survey groups themselves are strong for local participation and control. Some groups, notably the medical profession, are violently opposed to the State's coming into the community with clinic services. In no instance, in my experiences with communities, has a community requested or expressed the desire in any way for the State to set up an entirely state-supported and state-controlled clinic.

"On the other hand, clinics which have been receiving help from National Mental Health Act funds on a decreasing basis over a period of years, have felt that the State should come in with partial continued financial support in order to provide at least one stable source of income. The other chief sources, namely, Community Chest, fees, and private subscriptions are felt to be too unpredictable. In those places where some county support is given to the clinic, this is the most stabilizing factor. However, in San Mateo County, where the county inadvertently was saddled with the Child Guidance Clinic, I have recently heard repercussions which are making it difficult to get any county support for other



much needed mental hygiene facilities. By contrast, in Ventura, Napa, and Sonoma Counties, for example, partial county support of clinics is apparently acceptable and feasible.

"I have a conviction that, as Dr. Felix pointed out in the second paragraph on page 3 of his letter to you, a prior agreement between the State and the community is essential if the State is to eventually ask a community to take over the support of a clinic in whole or in part. Such an agreement should be the result of the State and the community working together over a period of time, making a survey and organizing the community, before any clinic at all is set up. My experience also leads me to another conclusion, namely, that each local situation is unique and the plans for each community must be tailor-made to fit that particular locale. In other words, though an ultimate goal may be set up as a matter of policy, the steps toward the achievement of that goal must necessarily vary from place to place. An example of such a goal might be the ultimate arrangement whereby a clinic would be supported 30 percent by state funds, 30 percent by federal funds, 30 percent by local governmental and private support, and 10 percent by fees collected. I believe it would take different communities varying lengths of time to achieve such a goal. Some might never reach it while others might go beyond it so far as local community support is concerned."

#### RECOMMENDATIONS OF THE STATE DEPARTMENT OF MENTAL HYGIENE

I. That new state mental hygiene clinics be established in communities only after the community has (1) surveyed both its needs and resources; (2) has an organized, broad mental hygiene program as a formulated goal; (3) has accepted the responsibility of giving some local, financial support to the clinic; and (4) has the desire to have the State Department of Mental Hygiene administer and supervise the clinic.

II. That the six communities where state mental hygiene clinics are already established (i.e., Los Angeles, San Diego, Riverside, Fresno, Sacramento, and Chico) and are currently financed entirely by state funds, be given a two-year period in which to organize local, partial support of the clinic.

III. That the East Bay Community served by the Berkeley State Mental Hygiene Clinic, consisting of Alameda and Contra Costa Counties and the Cities of Oakland, Berkeley, and Alameda, be given a two-year period in which to organize local, partial support of this clinic, which is now entirely financed by National Mental Health Act funds; and that the State also support this clinic which it has been administering since 1948.

IV. That legislation introduced at the current session of the Legislature enabling a county and or city to participate with the State in the establishing and financing of a state mental hygiene clinic be supported as to its general intent.

V. That any specific plan of financing, partly by state and partly by local government (county and or city) be understood to be subject to later modification as dictated by experience.

VI. That as much flexibility as possible be incorporated into any plan of financing, so as to permit of maximum adaptation to specific, local conditions.

VII. That federal grants-in-aid, under the National Mental Health Authority, be reserved for (1) use where communities decide upon financing clinics or other mental hygiene projects on a *private* basis, without state support at any time; or for (2) temporary assistance to a county and or city undertaking to establish a mental hygiene clinic in conjunction with the State.

VIII. That final, specific recommendations as to what proportions of clinic budgets be financed by the State, county, or city, together with a specific time-schedule for the year-by-year assumption of these proportional responsibilities, be formulated *after* hearing (1) the forthcoming report of the California Advisory Committee on Mental Health, (2) the proposed study by the League of California Cities, (3) the opinions of the Health and Hospital Committee of the Supervisors Association, (4) the opinions of the California Conference of Local Health Officers, and (5) the wishes of local communities as expressed through their legislative representatives.

Respectfully submitted,

FRANK F. TALLMAN, M.D.  
Director of Mental Hygiene

February 6, 1953

	Sonoma County Mental Hygiene Clinic, Inc., Santa Rosa	Napa Child Guidance Clinic	Mental Health Service of Santa Clara County, San Jose	Henrietta Weill Child Guidance Clinic, Bakersfield	Child Develop- ment Center, Children's Hospital of the East Bay, Oakland	Berkeley State Mental Hygiene Clinic
1950-51						
Federal grant in aid	\$12,000	\$1,650	\$7,000	\$8,500	\$9,638	\$54,504
State	---	1,800 *	---	---	---	---
Local-public	3,513 (Co. schools)	---	---	---	---	---
Local-private	1,071 (Fund drive)	3,350	---	7,916	32,000 (Children's Hospital)	---
Other	728 (Fees)	---	5,610 (VA) 3,644 (Fees)	4,251 (Fees, etc.)	20,545 (Fed.-maternal and child care)	---
1951-52						
Federal grant in aid	\$9,000	\$1,650	\$5,000	\$4,869	\$9,638	\$51,590
State	---	1,800 *	---	---	---	---
Local-public	6,041	---	---	14,199	---	---
Local-private	588	3,350	2,004	2,430	40,205 (Children's Hospital)	---
Other	142	---	10,631	Fees, etc. (Amount?)	21,470 (Fed.-maternal and child care)	---

\* This \$1,800 represents what the clinic would have had to pay for the salary of the part-time clinical psychologist loaned to the clinic by the Napa State Hospital, but his salary is paid out of National Mental Health Act funds.

## REPORT TO THE LEGISLATURE ON THE NATURE AND SCOPE OF THE MENTAL HYGIENE CLINIC PROGRAM

### BACKGROUND

Ten years ago, with the opening of the Langley Porter Clinic in April, 1943, the Department of Mental Hygiene embarked upon a program of prevention of mental illness through early diagnosis and treatment on an outpatient basis. From the start, this program provided for special attention to disturbed children. Subsequently, between 1946 and 1950, National Mental Health funds were used to establish the Berkeley State Mental Hygiene Clinic (a training clinic affiliated with three departments of the University of California: Psychiatry, Psychology, and Social Welfare) and to help certain state hospitals initiate outpatient activities on a very modest scale.

In the meantime, the Governor's Conferences on Mental Health, on Children and Youth, and on the Problems of the Aged, brought forth both recognition of, and recommendations to implement, a concept of mental hygiene that is broader than the mere prevention of mental illness and includes the conservation of mental health through community services as well as outpatient treatment services to individual patients. Accordingly, since 1950, the Department of Mental Hygiene has gradually made a start in the areas of (1) public information and education, (2) consultative services to school departments, welfare agencies, probation offices, etc., and (3) help to communities in organizing broad, local mental hygiene programs of their own. Meanwhile, outpatient treatment services to individual patients have been strengthened by provisions for better trained personnel (particularly in the area of child psychiatry), by closer coordination between the central office and clinic staffs, and by more clearly defining the role of a state mental hygiene clinic in its particular community.

The Department of Mental Hygiene has not requested any new clinics since 1950 but has concentrated on improving the outpatient services already established, on coordinating and clarifying the roles of the State and of the local communities, and on working with communities, largely using for these purposes the existing personnel in the outpatient and extra-mural programs, i.e., staff already working out in the community.

Since the Department of Mental Hygiene became the National Mental Health Authority for California in 1951, it has received many more additional requests from all parts of the State for both clinic and community services. Some of these requests could be, and have been, made of other state departments, such as Education, Public Welfare, Youth Authority, Public Health, Correction, and the Recreation Commission. To both clarify and coordinate responsibilities, the State Mental Health Coordinating Committee, composed of representatives of the departments named above, was established by their respective directors in 1951.

### CLINIC POLICIES

- I. The *functions* of a state mental hygiene clinic are (1) to provide diagnosis and outpatient treatment for children, adolescents, and adults; (2) to advise referring agencies or individuals as to proper disposition of cases; (3) to help



- individual patients by referring them to other agencies or community resources; (4) to answer requests for information; (5) to educate professional and lay groups in the principles of mental hygiene; (6) to consult with public agencies, such as schools, that need psychiatric advice; and (7) to participate in community organization for mental hygiene.
- II. The *eligibility* of a citizen for clinic services is determined by his need of psychiatric attention and his inability to get it elsewhere, either because he cannot afford private care or because no other public or private facilities exist. (*Note: The first reason applies to about 90 percent of our clinic patients.*)
- III. The *intake policies* of a given clinic include I and II, as stated above. In addition: (1) No patient is excluded from clinic treatment by reason of race, color, creed, or diagnosis; (2) no patient is treated without evaluation of his physical condition by a licensed physician, but the clinic psychiatrists limit their own work to the specialty of neuro-psychiatry; (3) the clinics do not do psychological testing for outside agencies but only on clinic patients; (4) each clinic has the right to some flexibility in intake policies on account of long waiting lists, the poverty or plenty (as the case may be) of other resources in the community, and special community needs; (5) the clinic has the final say as to treatability of a patient.
- IV. Fees are charged, according to ability to pay, on a sliding scale, from 0 percent to 100 percent of a maximum of \$8 per visit (50 to 60 minutes, as a rule). The \$8 maximum is a 1951 revision of a previous, maximum fee of \$5, in the face of rising costs and depreciation of the dollar; \$8 represents the actual, minimum cost to the State per patient-hour. (*See cost statistics.*)
- V. Case-records are kept on each patient and are held strictly private, their contents to be revealed only upon written consent of the patient or upon court order.
- VI. No minor may be treated except after written consent of a parent or legal guardian, or upon juvenile court order.
- VII. Immediate diagnostic services in emergent cases requiring quick disposition for the safety of the patient and/or the public are provided.

#### ALLOCATION OF STAFF TIME

(See Cost Statistics Attached)

The allocation of staff time as between direct diagnostic and treatment services to patients and preventive services to communities have been tabulated in connection with costs of those services for 1951-52. These statistics include a table for comparison with 1950-51, when no count was made of time spent in community services. The differences between clinics are briefly accounted for, as follows:

- (1) The marked lack of facilities in the schools, probation offices, welfare departments, etc., in Fresno County and environs, means that this community has an unusual need to use the clinic staff for

community services, and the director of the clinic felt that more could be accomplished with limited personnel in that area.

- 2) The two training clinics, Langley Porter and Berkeley, do training and help alleviate the bottleneck in psychiatry, a shortage of trained personnel, as their special form of "community service." They do not have the time to do as much as the other clinics in the way of community services.
- 3) The Chico and Riverside clinics show greater cost per service hour than the other clinics due to their being the newest clinics and incompletely staffed.
- 4) The Berkeley Clinic shows the lowest cost per service hour in part because the psychiatric residents' salaries are paid out of other budgets. However, when these salaries were added to the Berkeley Clinic budget for purposes of comparison, this clinic still showed the lowest cost. The two training clinics, Berkeley and the Langley Porter Clinic, cost the least.

#### NATURE OF TREATMENT

- (a) All types of cases *may* be accepted for treatment, but the majority of adults suitable for outpatient treatment are nonpsychotic and most of these are suffering from one of the psychoneurotic disorders, such as anxiety state or hysteria. By far the commonest diagnosis in children's cases is primary behavior disorder, either with habit disturbance (e.g. bed wetting), or with conduct disturbance (e.g. stealing), or with neurotic traits. (For details, see attached statistical table.) The diagnostic services of the clinic include patients with all the major psychotic and nonpsychotic conditions.
- (b) The kinds of treatment provided by clinics are:
  1. Individual psychotherapy.
  2. Group psychotherapy.
  3. Play therapy (for younger children).

One or both parents are seen as part of the treatment of a child. Manipulation of the environment may be helpful in some cases. Shock treatment is not done in the mental hygiene clinics where there are no nursing or hospital facilities to give the proper safeguards to the patients undergoing such physical treatment.

- (c) The average number of visits per treated, discharged outpatient in 1950-51 was 17.9; in 1951-52, it was 18.5. (See the Department of Mental Hygiene's Statistical Reports.)

#### PATIENT FEES

(See Cost Statistics Attached)

- (a) A fee is set at the time of the intake interview when the matter is discussed with the patient by the psychiatric social worker. Further discussions may ensue, and the fee may be revised upward or downward as a result of this, or at a later date when the patient's financial circumstances have changed in either direction. In any case, the payment of a fee by all patients except those on direct relief is considered to play a positive role in the establishment of a sound therapeutic relationship with the patient.

- (b) The fee-schedule in use is the one the Department of Mental Hygiene has had the longest experience with, i.e., the one developed at the Langley Porter Clinic for outpatients and based upon the "Heller Study". The matter has been discussed at length at several meetings of clinic directors and a fee committee has been making a study during the past year, using consultants from the University of California. Currently, the fee committee is asking for help and advice from the State Department of Finance before making recommendations for the improvement of our recognizably unsatisfactory fee-schedule in present use.
- (c) As a matter of policy (stated above), patients who can afford private psychiatric care are referred to such resources when they apply for treatment at a state clinic. If the community contains psychiatrists who are willing to take some patients at a low enough fee, the clinic takes every opportunity to refer patients to such doctors. The paucity of child psychiatrists in private practice even in the metropolitan areas, and the total absence of them in most places, accounts for the relatively few deviations from our general policy of reserving clinic services for those who cannot afford care elsewhere and who would get no care were it not for the clinic. (*See attached statistical table.*)

#### FUTURE PROGRAM EXPANSION

Factual material, discussion of pertinent questions, and current studies being made are contained in a separate "Report and Recommendations to the Legislature on the Financing of Mental Hygiene Clinics" (which *see*). Future program expansion so far as the State is concerned will depend upon the kind and degree of responsibility and financial support assumed by counties and cities, and to some extent upon the actions of the new U. S. Congress in appropriating funds for federal grants-in-aid to state mental hygiene programs.

Respectfully submitted by

PORTIA BELL HUME, M.D.  
Deputy Director of Community Services  
State Department of Mental Hygiene

February 5, 1953

## COST STATISTICS, STATE OUTPATIENT PSYCHIATRIC CLINICS, YEAR ENDING JUNE 30, 1951

Clinic	Actual cost	Revenue from fees	Average fee	Percent of cost from fees	(a)		Cost per patient visit (actual)	(b)		Number of professional workers (c)	Patients per day
					Number of visits by patients (year)	(budgeted)		Total patients per day (a)			
Los Angeles	\$87,059	\$3,539	\$0.42	4.0	8,385	\$10.38	\$9.90	33.54	10.4	3.2	
					(continued)						
San Diego	51,036	1,101	0.21	2.2	5,430	9.56	9.35	21.72	6.0	3.6	
Fresno	38,733	303	0.10	0.8	2,921	13.20	13.16	11.68	4.8	2.4	
Sacramento	43,405	1,009	0.30	2.5	3,033	14.31	13.95	12.13	4.8	2.5	
Berkeley	42,951	3,914	0.50	9.1	7,022	6.12	5.56	28.09	7.4	3.8	
									(2 residents included)		
San Francisco (outpatient department, Langley Porter Clinic)	108,528	23,208	1.21	13.7	10,222	8.77	7.53	69.61	†	†	

Subject to final revision.

† Not determinable

‡ For Langley Porter Clinic, (a) 276

CALIFORNIA STATE DEPARTMENT OF MENTAL HYGIENE  
December 10, 1951



## COST STATISTICS, STATE MENTAL HYGIENE CLINICS—YEAR ENDING JUNE 30, 1952

Clinic	(x) Actual cost (budgeted)	(y) Revenue from fees	Average fee per patient hour	Percent of cost from fees	(a) No. of visits by patients (in hrs.) (total for yr.)	Cost per hour (Budgeted) (X)	Cost per patient hour (Actual) (Y)	(b) Total patients per day	(c) No. of profess- sional workers *	Patients per day per worker (b) (c)	No. of patients registered since opening of clinic	Total patients seen during year
All clinics	\$588,313	\$39,721	\$0.83	6.8	45,994	\$12.79	\$11.93	177.73†	48.27	2.44	20,117	5,413
Los Angeles	103,977	7,327	.83	7.0	8,803	11.81	10.98	35.21	12.4	2.9	4,012	1,170
San Diego	53,709	1,923	.44	3.6	4,360	12.12	11.88	17.44	6.0	2.9	1,939	685
Fresno	45,464	1,458	.67	3.2	2,185	20.81	20.14	8.74	6.0	1.5	1,334	542
Sacramento	51,531	1,172	.31	2.3	3,767	13.68	13.37	15.07	5.5	2.7	1,496	617
Berkeley	51,590	6,663	.87	12.9	7,637	6.75	5.88	30.55	11.6**	2.6	1,478	603
Riverside	49,564	1,353	.67	2.7	2,007	24.70	24.02	8.03	4.7	1.7	278	282
Chico	23,028	527	.81	2.3	649	35.18	34.67	2.60	2.0	1.3	148	146
Langley Porter Clinic, O. P. D.	209,450	19,298	1.06	9.2	16,586	12.63	11.46	60.09	47	7	9,432	1,368

\* In terms of full-time positions—subject to final revision.

\*\* 5.1 residents included.

† Not including the Langley Porter Clinic.

‡ Not determinable.

§ For the Langley Porter Clinic, (b) = (a) 276

CALIFORNIA STATE DEPARTMENT OF MENTAL HYGIENE  
August 20, 1952

## COST STATISTICS IN COMMUNITY SERVICES—YEAR ENDING JUNE 30, 1952

CLINIC	ALL SERVICES			TREATMENT SERVICES TO PATIENTS			PREVENTIVE SERVICES TO COMMUNITIES			Cost per service hour		Cost per patient hour	
	Total hours (a + z)	Cost (x — y)	Number of visits by patients (in hrs.) (a)	Per cent of total services	Cost	Number of hours (z) *	Per cent of total services	Cost	Cost per service hour (x — y) (a + z)	Cost per patient hour (x — y) (a — y)	(a)	(a)	(a)
All clinics	52,801	\$548,592	45,994	87.1	\$180,018	6,807	12.9	\$68,574	\$10.39	\$11.93			
Los Angeles	9,691	96,650	8,803	90.8	87,758	888	9.2	8,892	9.97	10.98			
San Diego	5,872	51,786	4,300	74.2	38,425	1,512	25.8	13,361	8.82	11.88			
Fresno	3,745	44,006	2,185	58.3	25,655	1,560	41.7	18,351	11.75	20.14			
Sacramento	4,385	50,359	3,767	86.3	43,460	598	13.7	6,899	11.54	13.37			
Berkeley	8,335	44,927	7,037	91.6	41,153	698	8.4	3,774	5.39	5.88			
Riverside	2,620	48,211	2,007	76.6	36,930	613	23.4	11,281	18.40	24.02			
Chico	945	22,501	649	68.7	15,458	296	31.3	7,043	23.81	34.67			
Langley Porter Clinic													
O.P.D.	17,228	190,152	16,586	96.3	183,687	642	3.7	6,465	11.04	11.46			

\* Estimated on basis of statistics for 8 months.

CALIFORNIA STATE DEPARTMENT OF MENTAL HYGIENE  
August 20, 1952

## ANNUAL CASE LOAD MOVEMENT, OUTPATIENT CLINICS—YEAR ENDING JUNE 30, 1951

Statistical Research Bureau  
July 12, 1951  
Form C

State of California  
Department of Mental Hygiene

Department of Mental Hygiene	Case load—June 30, 1951												Increase in case load during year		
	Active (under therapy)						Total (active and inactive *)								
	First admissions			Readmissions			Total			Total			Male	Female	
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
Age-group and clinic															
All groups	3,281	1,455	1,826	402	177	225	1,133	440	693	1,635	683	952	—190	—105	—85
By clinics:															
Berkeley SMH Clinic	262	108	154	29	11	18	151	53	98	174	64	110	—50	—26	—24
Fresno SMH Clinic	407	221	186	24	14	10	98	44	54	212	112	100	—7	—15	+8
Langley Porter Clinic	756	334	422	218	90	128	494	202	292	520	222	307	—214	—102	—112
Los Angeles SMH Clinic	732	313	419	62	31	31	205	70	135	295	101	194	—35	—25	—10
Marquette SMH Clinic	67	28	39				10	1	9	24	9	15	+24	+9	+15
Sacramento SMH Clinic	448	225	223	28	14	14	66	31	35	128	53	75	—	+3	—3
San Diego SMH Clinic	609	226	383	41	17	24	109	39	70	273	102	171	+92	+51	+41
By age groups:															
Adults	2,410	908	1,502	337	128	199	934	317	617	1,244	415	829	—222	—143	—79
Adolescents	390	220	170	27	14	13	84	46	38	161	90	71	—2	—2	—
Children	481	327	154	38	25	13	115	77	38	230	158	72	+34	+40	+6

Note: These figures are subject to further slight adjustments.  
Patients aged 12 to 17 years, inclusive, are listed as adolescents.

\* Inactive case load: Patients on record who have not as yet started treatment or who have been admitted only for diagnosis.

## ANNUAL CASE LOAD MOVEMENT, OUTPATIENT CLINICS—YEAR ENDING JUNE 30, 1952

State of California  
Department of Mental Hygiene

Statistical Research Bureau  
July 15, 1952  
Form C

Age-group and clinic	First admissions			Readmissions			Under therapy			Case load June 30, 1952			Increase in total case load during year		
	Total		Female	Total		Female	Total		Female	Total		Female	Total		Female
	Male	Female		Male	Female		Male	Female		Male	Female		Male	Female	
All groups	3,331	1,517	1,814	447	172	275	1,253	508	745	1,913	820	1,123	308	137	151
By clinics:															
Berkeley SMH Clinic	387	150	237	42	19	23	146	54	92	245	86	159	71	22	49
Fresno SMH Clinic	304	162	142	26	8	18	89	37	52	213	108	105	1	-4	5
Langley Porter Clinic	661	309	352	178	78	100	403	210	283	532	236	316	23	14	9
Los Angeles SMH Clinic	806	392	414	69	23	47	205	78	127	362	155	207	67	54	13
Chico SMH Clinic															
Chico	37	19	18				2	2		15	5	10	15	5	10
Marysville	81	41	40	4	2	2	5		5	10	1	9	-14	-8	-6
Riverside SMH Clinic	278	138	140	4	1	3	94	48	46	185	94	91	185	94	91
Sacramento SMH Clinic	436	177	259	53	22	31	68	30	38	104	46	58	-24	-7	-17
San Diego SMH Clinic	341	129	212	71	20	51	151	49	102	257	89	168	-16	-13	-3
By age groups:															
Adults	2,414	916	1,498	370	128	242	995	342	653	1,440	492	948	196	77	119
Adolescents	387	239	148	42	19	23	103	65	38	213	136	77	52	46	6
Children	530	362	168	35	25	10	155	101	54	240	192	98	60	34	26

Note: Patients aged 12 to 17 years, inclusive, are listed as adolescents. These figures are subject to further slight adjustments.

\* Total includes patients on record who have not as yet started treatment or who have been admitted only for diagnosis.



**Mental Disorders of Patients Discharged From Outpatient Psychiatric Clinics,  
by Type of Admission, and Age Group, Year Ending June 30, 1952**

<i>Mental disorder</i>	<i>Total</i>	<i>Adults</i>	<i>Adolescents</i>	<i>Children</i>
All groups .....	3,471	2,597	382	492
With psychosis .....	487	456	25	6
Syphilitic meningo-encephalitis (general paresis) .....	3	3	--	--
With other forms of syphilis of the c.n.s. ....	1	1	--	--
With epidemic encephalitis .....	--	--	--	--
With other infectious diseases .....	--	--	--	--
Alcoholic .....	--	--	--	--
Due to drugs or other exogenous poisons .....	--	--	--	--
Traumatic .....	3	2	1	--
With cerebral arteriosclerosis .....	4	4	--	--
With other disturbances of circulation .....	1	1	--	--
With convulsive disorders (epilepsy) .....	3	2	--	1
Senile .....	7	7	--	--
Involuntal .....	46	46	--	--
Due to other metabolic, etc., diseases .....	--	--	--	--
Due to new growth .....	--	--	--	--
With organic changes of the nervous system ..	3	3	--	--
Manic-depressive .....	43	43	--	--
Dementia praecox (schizophrenia) .....	337	309	23	5
Paranoia and paranoid conditions .....	14	14	--	--
With psychopathic personality .....	1	1	--	--
With mental deficiency .....	1	1	--	--
Undiagnosed psychoses .....	20	19	1	--
With psychoneurosis .....	1,378	1,338	36	4
Without psychosis .....	1,073	425	257	391
Epilepsy .....	15	9	2	4
Alcoholism .....	41	41	--	--
Drug addiction .....	4	4	--	--
Mental deficiency .....	114	28	30	56
Disorders of personality due to epidemic encephalitis .....	1	1	--	--
Psychopathic personality .....	62	59	3	--
Other nonpsychotic diseases or conditions (not insane) .....	223	166	29	28
Primary behavior disorders .....	594	99	192	303
Sexual psychopathy .....	19	18	1	--
Syphilis of the c.n.s. ....	--	--	--	--
Diagnosis deferred .....	533	378	64	91

NOTE: At time of admission (adults 18 years and over, adolescents 12-17 years, children 0-11 years).

CASES CLOSED FOLLOWING TREATMENT AT OUTPATIENT PSYCHIATRIC CLINICS, BY CLINIC, SEX, AGE GROUP, AND BY INTERVIEWS, AND RATE OF RECOVERY, YEARS ENDING JUNE 30, 1951-1952

Sex; age-group; clinic	Year ending June 30, 1951				Year ending June 30, 1952			
	Interviews per treated case closed	Interviews per case per month	Months on record per case	Percent closed as improved or recovered	Interviews per treated case closed	Interviews per case per month	Months on record per case	Percent closed as improved or recovered
Total -----	17.9	2.0	8.9	72	18.5	1.9	10.0	69
Sex:								
Male -----	16.8	2.0	8.4	68	19.2	1.9	10.0	66
Female -----	18.6	2.0	9.2	75	18.1	1.8	10.0	71
Age-group:								
Adults -----	17.4	1.9	9.3	72	17.4	1.7	10.2	68
Adolescents -----	18.2	2.5	7.4	63	19.0	2.1	8.9	67
Children -----	20.7	2.8	7.3	78	25.1	2.6	9.6	71
Clinic:								
Berkeley -----	33.0	2.7	12.2	66	36.2	2.6	13.7	70
Chico -----	8.2	4.8	1.7	56	8.2	2.5	3.2	72
Fresno -----	16.2	1.6	10.1	82	18.8	1.3	14.5	73
Los Angeles -----	11.8	1.8	6.5	71	13.9	1.8	7.7	67
Riverside -----	-	-	-	-	10.8	1.9	5.6	59
Sacramento -----	9.5	2.2	4.4	68	11.4	2.0	5.6	68
San Diego -----	11.8	1.8	6.7	82	12.7	1.4	8.9	80
San Francisco • -	24.3	2.0	12.4	70	24.7	1.8	13.8	65

• Outpatient department, Langley Porter Clinic.

# RACE, ECONOMIC STATUS, MARITAL STATUS, AND VETERAN STATUS OF ADMISSIONS TO OUTPATIENT PSYCHIATRIC CLINICS, BY SEX, AGE GROUP, AND CLINIC YEARS ENDING JUNE 30, 1951-1952

Race: economic status; marital status; veteran status; all admissions	Year ending June 30, 1952									
	Sex		Age group			Clinic				
	Male	Female	Adults	Adolescents	Children	Berkeley	Chico	Fresno	Los Angeles	Riverside
All admissions 3,680	1,690	2,088	2,784	429	565	429	122	330	875	282
Race:										
White	1,587	1,962	2,631	392	526	400	118	291	737	261
Negro	43	66	72	18	19	21		8	36	9
Mexican Indian	41	48	58	11	20	4	2	28	37	9
U. S. Indian	3	1	1	3			1			3
Chinese	17	5	9	3		3		1	2	
Japanese	5	5	9	1		1	1	2	2	
Filipino	1	1	2							
Unspecified	3		2	1					1	
Economic status:										
Dependent	281	314	399	93	103	34	33	91	140	58
Married	1,112	1,458	1,987	266	317	312	65	177	633	189
Comfortable	280	290	363	69	138	50	21	58	111	34
Unspecified	17	26	35	1	7	33	3	4	1	1
Marital status:										
Single	980	591	584	422	565	153	46	142	404	158
Married	581	1,127	1,704	4		207	66	133	337	103
Widowed	6	61	67			14	2	4	12	4
Divorced	84	214	296	2		11	7	18	68	10
Separated	39	95	133	1		14	1	13	31	7
Unspecified										
Vet status:										
Veteran †	535	43	576		2	59	21	36	155	34
Nonveteran	1,155	2,045	2,208	429	563	370	101	294	720	248

\* I. e., economic level of patient's immediate family group at time of admission; Dependent—lacking in the necessities of life, or receiving outside aid; marginal—living on earnings, but accumulating little; comfortable—having accumulated resources to maintain family group for at least four months.

† With service in the armed forces of the United States (including peace-time service).

Department of Mental Hygiene Yearly Statistics on Community Services  
(Total Hours)

All Clinics—January to December, 1952

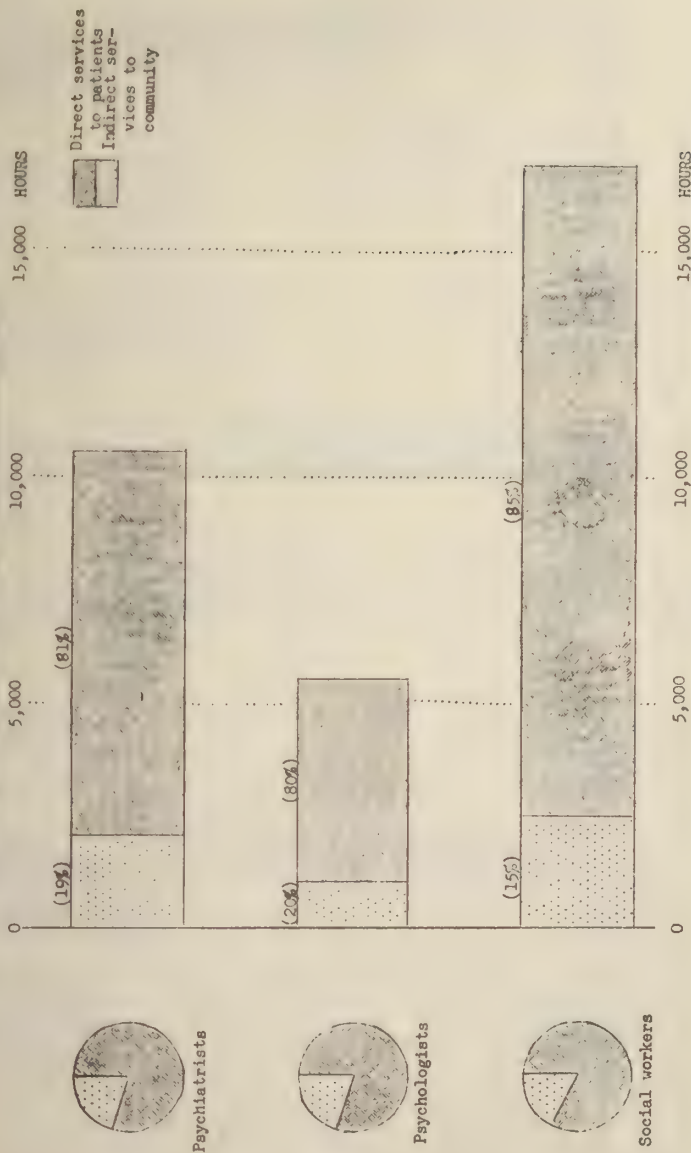
	<i>Psychiatrists</i>	<i>Clinical psychologists</i>	<i>Psychiatric social workers</i>
<b>I. Consultation:</b>			
Regularly scheduled consultations with outside agencies * re their clients	348	25	73
Occasional, individual consultations with outside agencies re their clients	183	139	137
Agency conferences re cooperative cases in the clinic	262	164	380
<b>II. Information to official visitors, student groups, and the general public</b>	322	127	604
<b>III. Education:</b>			
Classes or workshops	158	112	85
Public lectures or group discussions (e.g. with movies)	217	189	228
<b>IV. Community Organization</b> (Committee work, community planning, promotion of local mental health resources)	522	323	678
<b>Totals (indirect services)</b>	2,012	1,079	2,485
<b>Totals (direct services to patients within the clinic, i.e. interviews with patients and relatives)</b>	8,551	4,428	14,495

\* "Agencies" mean schools, courts, probation departments, family or social agencies, Red Cross, welfare departments, medical or clinical groups, PTA's, etc.

STATISTICAL RESEARCH BUREAU  
February 19, 1953

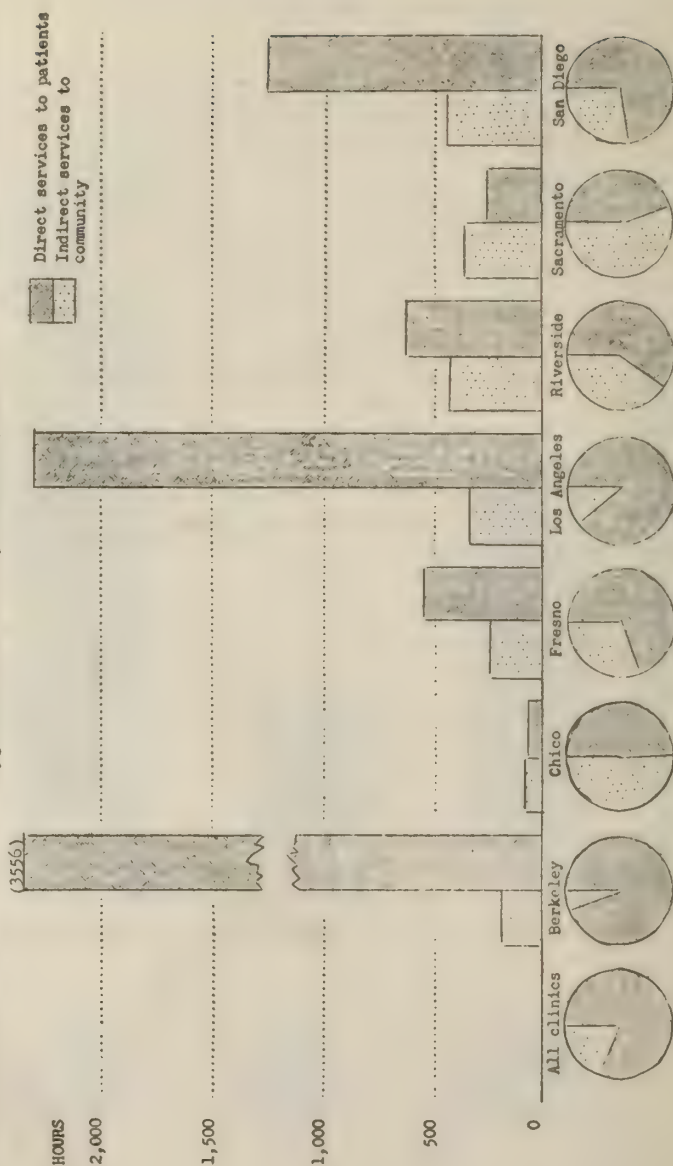


TABLE 1  
Total Hours Spent in Direct Services to Patients and Indirect Services to Community in  
State Mental Hygiene Clinics, January-December, 1952



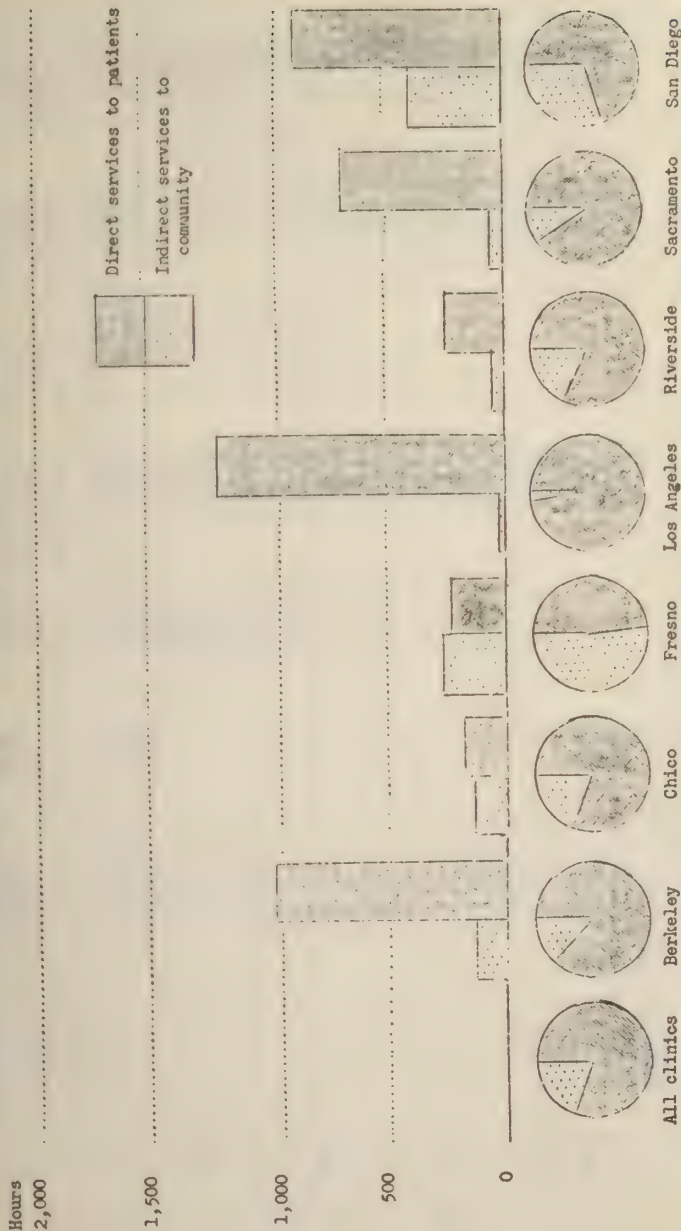
Statistical Research Bureau  
February 19, 1953

**TABLE 2**  
**Direct Services to Patients and Indirect Services to the Community Performed by Psychiatrists in State Mental Hygiene Clinics, January-December, 1952**



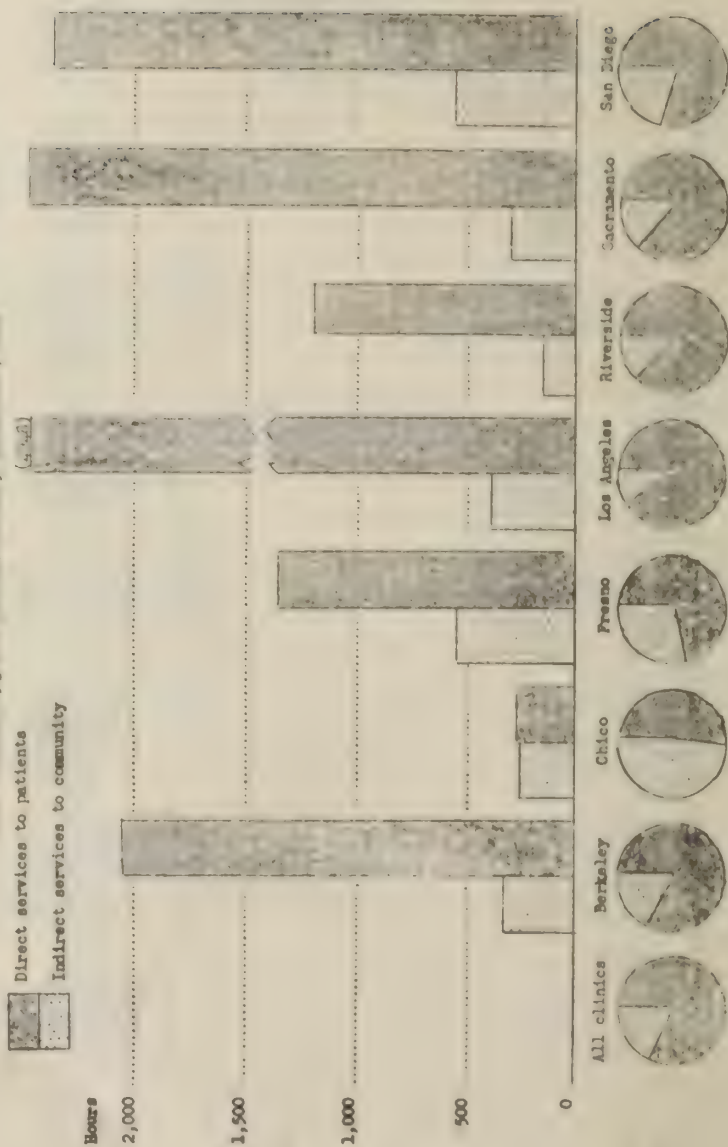
Statistical Research Bureau  
 February 19, 1953

TABLE 3  
Direct Services to Patients and Indirect Services to the Community Performed by Psychologists in  
State Mental Hygiene Clinics, January-December, 1952



Statistical Research Bureau  
February 19, 1953

TABLE 4  
Direct Services to Patients and Indirect Services to the Community Performed by Social Workers in  
State Mental Hygiene Clinics, January-December, 1952





**Call of the Senate**

Senator Powers moved a call of the Senate.

Motion carried. Time, 2.10 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE****CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill No. 76**—An act to amend Sections 17786, 17813, 17817, 25121a, and 25121c of, and to add Sections 17314.5, 17314.7, 17784.7, 17784.8, 24121i.1, 24121i.2, 25101a.1, and 25101a.2 to, the Revenue and Taxation Code, relating to personal income and bank and corporation taxation, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in Senate March 25, 1953, strike out "17784.8", and insert "17784.9".

**Amendment No. 2**

On page 3, line 51, strike out "17784.8", and insert "17784.9".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1453**—An act to add Section 2181.03 to the Welfare and Institutions Code, relating to the liability of spouses of recipients.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Social Welfare:

**Amendment No. 1**

On page 1, of the printed bill, strike out lines 3 through 6, inclusive, and insert "2181.03. Notwithstanding any other provisions of this chapter an applicant for or recipient of Old Age Security shall be considered to be receiving support from his or her spouse to the extent that the separate or community income of the spouse exceeds the amount required to meet the immediate needs of such spouse and minor children."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**Senate Bill No. 1476**—An act to amend Sections 75, 76, and 83 of the Unemployment Insurance Act, and to amend Sections 302, 304, 311, and 351, and repeal Sections 303 and 314 of the Unemployment Insurance Code, relating to the Department of Employment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Social Welfare:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "304,".

**Amendment No. 2**

On page 1, line 20, after "assistants", insert "except personnel of the Appeals Division".

**Amendment No. 3**

On page 2, line 2, after the period, insert

"The person holding the Office of Chief of the Division of Accounts and Tax Collections on May 30, 1953, and acting as deputy director of the department, shall continue to hold office as deputy director as an appointee of the Director of Employment, and the provisions of Article XXIV of the Constitution and the term "state civil service" shall apply to and include such person."

**Amendment No. 4**

On page 2, line 10, strike out "404, and 459", and insert "and 404".

**Amendment No. 5**

On page 2, lines 25 and 26, strike out "and two members to be appointed by the Governor", and insert "the director and the deputy director".

**Amendment No. 6**

On page 2, strike out lines 37 to 46, inclusive.

**Amendment No. 7**

On page 2, line 47, strike out "8", and insert "7".

**Amendment No. 8**

On page 2, line 48, strike out "9", and insert "8".

**Amendment No. 9**

On page 2, line 49, after "assistants", insert "except personnel of the Appeals Division".

**Amendment No. 10**

On page 3, line 3, after the period, insert

"The person holding the Office of Chief of the Division of Accounts and Tax Collections on May 30, 1953, and acting as deputy director of the department, shall continue to hold office as deputy director as an appointee of the Director of Employment, and the provisions of Article XXIV of the Constitution and the term "state civil service" shall apply to and include such person."

**Amendment No. 11**

On page 3, line 4, strike out "10", and insert "9".

**Amendment No. 12**

On page 3, line 7, strike out "and"; and strike out all of lines 8 to 10, inclusive, and insert "the director and the deputy director."

**Amendment No. 13**

On page 3, strike out line 11, and insert

"SEC. 10. Sections 5, 6, 7, 8, and 9, of this act become".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

**Senate Bill No. 1348**—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempt from registration and the definition of implements of husbandry in relation thereto.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 835**—An act to amend Section 51360 of the Water Code and to repeal Section 51362 of the Water Code, relating to reclamation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In the title of the printed bill, strike out line 1, and insert "An act to amend Section 51360 and".

PRINTER'S NOTE. There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, strike out line 12, and insert

"Sec. 2. Section 51362 of said code is amended to read:

51362. The tax shall not exceed the rate of [ten] *thirty* cents [(\$0.10)] (\$0.30) on each one hundred dollars (\$100) of the value assessed on the county tax roll of all taxable land and improvements thereon within the district."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1530**—An act to amend Sections 4121 and 4122 of the Education Code, relating to the election of members of junior college boards.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 152**—An act to amend Section 4939 of the Public Resources Code and Section 4 of Chapter 85 of the Statutes of 1945, relating to district forest practice committees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill, as amended in the Senate April 7, 1953, after "of", insert "and add Section 4951 to".

**Amendment No. 2**

On page 1, strike out lines 3, 4, 5 and 6, and insert "4939. The appointive".

**Amendment No. 3**

On page 1, strike out lines 12 to 26 inclusive.

**Amendment No. 4**

On page 2, strike out lines 1 to 22 inclusive, and insert "4951. Expenses incurred in the administration of the provisions of Chapter 10 of the Public Resources Code shall be paid from the support appropriation of the Division of Forestry."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 102**—An act to amend Section 6854 of the Public Resources Code, relating to leases of public lands for the production of oil and gas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Natural Resources:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, strike out "with the consent of the agency having jurisdiction over such lands,".

**Amendment No. 2**

On page 1, following line 8, insert

"Where such lands have been acquired for the use of a specific state agency, consent of this agency shall be obtained by the commission for occupation by a state lessee of the surface of the lands for drilling locations or producing facilities. The commission may lease such lands for the production of oil and gas without the consent of the state agency if development under such lease is made by slant drilling from surface locations on lands not under the control of such state agency."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill No. 2037**—An act to repeal Section 3451 of the Welfare and Institutions Code, as added thereto by Chapter 959 of the Statutes of 1949, relating to eligibility for aid to partially self-supporting blind residents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2038**—An act to amend Section 778 of the Welfare and Institutions Code, relating to juvenile court proceedings to declare persons free from the custody and control of their parents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 920**—An act to amend Sections 6651 and 6658 of the Welfare and Institutions Code, relating to charges for the care and treatment of patients of state hospitals for the mentally ill in the Department of Mental Hygiene.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 299**—An act to amend Section 3014.5 of the Civil Code, relating to definition of trust receipts transaction.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2109**—An act to add Section 608.3 to the Vehicle Code and to amend Section 737 of the Vehicle Code, relating to trespassing upon vehicular crossings.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2376**—An act to amend Section 5070 of the Streets and Highways Code, relating to the giving of notice to owners of assessed property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2944**—An act to amend Section 699 of the Vehicle Code, relating to exceptions to length limitations.

Bill read second time, and ordered to third reading.



**Assembly Concurrent Resolution No. 49**—Relative to acquisition of the Central Valley Project by the State.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Water Resources:

**Amendment No. 1**

In line 18 of the printed measure, as amended in Assembly March 30, 1953, strike out "recommendations", and insert "above recommendation".

**Amendment No. 2**

On page 1, lines 23 to 25, inclusive, strike out "including, but not limited to, consideration of the problems in connection with possible state operation under federal ownership".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

**Assembly Bill No. 1966**—An act to amend Section 2843 of the Elections Code, relating to state and county central committees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2314**—An act to amend Section 14 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to the appointment of election board, notice of election, appointment of sole nominees without election, petitions for election, notice of abandonment of election, furnishing of ballots, conduct of election.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2203**—An act to amend Sections 10051.1 and 10054 of the Elections Code, and to add Sections 10052.1, 10056.1, and 10058 to said code, relating to the consolidation of elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1097**—An act to amend Section 7023 of the Elections Code, relating to the posting of election results.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1104**—An act to amend Section 7924 of the Elections Code, relating to canvass of returns.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1105**—An act to amend Section 9757 of the Elections Code, relating to signatures on nomination papers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1106**—An act to amend Section 9854 of the Elections Code, relating to the conduct of municipal elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1112**—An act to amend Section 4536 of the Elections Code, relating to campaign statements.

Bill read second time, and ordered to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Senator Desmond asked for, and was granted, unanimous consent to have Senate Bill No. 1727 passed on file and retain its place on file.

Senator Williams asked for, and was granted, unanimous consent to have Senate Bills Nos. 501 and 499 passed on file and retain their places on file.

**THIRD READING OF SENATE BILLS**

**Senate Bill No. 1257**—An act to amend Sections 23750 and 23770 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Byrne, Coombs, Cunningham, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Way, and Weybret—24.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1545**—An act to amend Section 13011 of the Water Code, relating to water pollution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Burns, Busch, Byrne, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, and Weybret—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1743**—An act to add Section 4.1 to the Drainage District Improvement Act of 1919 (Chapter 354, 1919 Statutes), relating to the appointment of an engineer of construction, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1798**—An act to amend Sections 3, 13, 14, 15, 17, 18, and 27 of, and to add Section 34.5 to, the Santa Clara County Flood Control and Water Conservation District Act, relating to the taxing

powers, issuance of bonds, and financing of flood control projects of the Santa Clara County Flood Control and Water Conservation District and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—29.  
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—29.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senator Dilworth Presiding**

At 3.20 p.m., Senator Nelson S. Dilworth of the Thirty-seventh District, presiding.

**Senate Bill No. 960**—An act to amend Sections 5010, 5508, 6001, 6511, 6512, 6513, 6560, 6561, 7205, 7410, 7651, 7900, 8706 and 8707, of the Financial Code, relating to savings and loan associations and the administration of the law with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 961**—An act to amend Article 1 of Chapter 9 of Part 1 of Division 2 of the Financial Code, comprising Sections 6900 to 6910, inclusive, of said code, relating to reserves of, and restrictions on, savings and loan associations, and to amend the headings of said Chapter 9 and of said Article 1.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.  
NOES—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 569**—An act to add Sections 31031 and 31032 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES**—Senators Berry, Breed, Busch, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Thompson, Ward, Way, Weybret, and Williams—27.

**NOES**—None.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Chief Assistant Secretary Cleve V. Taylor at the Desk**

**Senate Joint Resolution No. 18**—Relative to smuggling of gold out of the United States.

**Motion to Refer Bill to Inactive File**

Senator Collier moved that Senate Joint Resolution No. 18 be placed on the inactive file.

Motion carried.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 3030**—An act to amend Section 4615 and 4617 of the Health and Safety Code, relating to sewer districts.

Bill read third time, and presented by Senator Parkman.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 439**—An act to amend Section 25663a of the Revenue and Taxation Code, relating to taxation of corporations, banks, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 443**—An act to amend Section 25403 of, and to renumber Section 25404 of, and to add Sections 25401a and 25404 to, the Revenue and Taxation Code, relating to taxation of banks, associations, corporations, and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.



The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—35.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 425**—An act to add Section 18802.1 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—32.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 436**—An act to amend Sections 18802, 18805, 18807 and 18908 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

#### Motion to Amend

Senator Grunsky moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, lines 22 and 23, of the printed bill, as amended in Assembly March 17, 1953, strike out "to withhold, from such credits or other property,".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 441**—An act to amend Sections 26131, 26132, and 26191 of the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 38**—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 985**—An act to amend Section 981.15 of the Military and Veterans Code, relating to educational benefits for veterans.

Bill read third time, and presented by Senator Sutton.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Grunsky, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1982**—An act to amend Sections 502, 502.1, 512, 513, 515 and 550 of the Military and Veterans Code, relating to the military forces of the State.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1983**—An act to amend Sections 340 and 562 of the Military and Veterans Code, relating to the National Guard.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**President pro Tempore of the Senate Presiding**

At 3.50 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Assembly Bill No. 1255**—An act to amend Section 14254 of the Financial Code, relating to the issuance of a certificate to engage in business as a credit union, under the Credit Union Law.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

**MOTION TO RECONSIDER**

Senator Desmond moved to reconsider the vote whereby Assembly Bill No. 1255 was passed.

**Postponement of Reconsideration**

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 1255 was passed, was continued until the next legislative day.

**Assembly Bill No. 1964**—An act to amend Section 3513 of the Financial Code, relating to investment of stock of corporations engaging in international banking.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, McBride, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1965**—An act to add a chapter heading to Division 1 of the Financial Code, relating to prohibited practices by banks and penalties therefor.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Hoffman, Ed. C. Johnson, McCarthy, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1990**—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Busch, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Grunsky, Ed. C. Johnson, McBride, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1275**—An act amending Section 29610 of the Government Code, relating to convention expenses of county officers.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Berry, Breed, Cunningham, Harold T. Johnson, Montgomery, O'Gara, Regan, Tenney, Thompson, Ward, and Williams—11.

NOES—Senators Abshire, Brown, Burns, Busch, Collier, Coombs, Desmond, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hulse, McCarthy, Parkman, Powers, Sutton, Way, and Weybret—19.

## REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, regarding Assembly Bills Nos. 633 and 634, printed in the Journal:

## OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, April 15, 1953

Honorable Jack B. Tenney  
Senate Chamber

A.B.'s 633 and 634, Each as Amended in Assembly March 18, 1953  
(Personal Income and Bank and Corporation Taxation) No. 8703

DEAR SENATOR TENNEY: You have asked several questions regarding Assembly Bills 633 and 634, each as amended in the Assembly on March 18, 1953, relating to personal income and bank and corporation taxation. They are set forth, together with our answers thereto, in the following:

1. Do the words "with intent to evade any tax" in the Section 19406 that would be added to the Revenue and Taxation Code by A.B. 633, and in existing Section 25961 of that code as that section would be amended by A.B. 634, qualify not only "fails to file any return or to supply any information" but also "makes, renders, signs, \* \* \* verifies \* \* \* or supplies \* \* \*"? In other words, would "with intent to evade any tax" apply to and be an element of each of the offenses described in each section?

We believe that the answer is in the affirmative.

The element of intent to evade is clearly an essential of failure to file a return or supply information, and in view of the language "with like intent," is just as clearly a concomitant of "makes, renders, signs, \* \* \* verifies \* \* \* or supplies \* \* \*"

2. Does "with intent to evade any tax" embrace an element of wilfulness?

We believe that this, too, is in the affirmative.

As the court said in *In Re Trumbley* (1948), 31 Cal. 2d 801, 807:

"The word 'wilfully' as used in criminal statutes implies a purpose or willingness to commit the act (Pen. Code, §7, subd. 1), and although it does not require an evil intent, it implies that the person knows what he is doing intends to do what he is doing and is a free agent."

And it appears that for purposes generally the word "wilfully" ordinarily means "intentional" (see *People v. McNutt* (1940), 40 Cal. App. (2d) (Supp.) 835, 837).

3. Does the language in the sections of the bills under consideration limit prosecutions to cases where there is an intent to evade? Could it be employed to prosecute persons guilty only of innocent mistakes in the matter of filing returns or supplying information?

It is our opinion that there is nothing in the language of either section under which any person who has no intent to evade taxation could be prosecuted. We are unable to construe any of the language used as offering any possibility of prosecuting a person who has been guilty only of



an innocent mistake in respect to the filing of a return or supplying information.

You have suggested that the insertion of the word wilfully in various parts of each bill in further description of the offenses specified would eliminate any possibility of a prosecution in the event of a mere mistake in the filing or failure to file a return. In view of our opinion on your second question, we doubt the necessity for any such insertion. It would result in redundancy and might cause some uncertainty as to the meaning of the law.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By J. GOULD, Deputy

Two copies to Honorable Thomas W. Caldecott, pursuant to Joint Rule 34.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.05 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**INTRODUCTION, FIRST READING, AND REFERENCE  
OF SENATE BILLS (RESUMED)**

The following resolutions were read :

**Senate Concurrent Resolution No. 58:** By Senators McCarthy, O'Gara, Way, Coombs, Abshire, and Collier—Relative to the reduction of tolls on the Golden Gate Bridge.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 59:** By Senators Regan, Harold T. Johnson, Miller, Montgomery, O'Gara, McCarthy, Burns, and Powers—Relative to the observance of Public Schools Week.

Referred to Committee on Rules.

**MOTION TO TAKE BILL FROM INACTIVE FILE**

Senator McCarthy moved that Assembly Bill No. 309 be taken from the inactive file and placed on the second reading file.

Motion carried.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 304**

Senator Thompson moved that Senate Bill No. 304 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 304**—An act to amend Section 9575 of the Business and Professions Code, relating to the Dry Cleaners' Fund.

Bill read second time.

**Motion to Amend**

Senator Thompson moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, following the word "Fund", insert "and making an appropriation".

**Amendment No. 2**

On page 1, line 6, of the printed bill, following the period, insert "The fund is hereby appropriated to pay the necessary expenses of the State Board of Dry Cleaners."

**Amendment No. 3**

On page 1 of the printed bill, strike out lines 10 to 27, and insert "SEC. 2. The sum of eighty five thousand dollars (\$85,000) is hereby appropriated from the Dry Cleaners' Fund for additional support of the State Board of Dry Cleaners during the 1953-54 Fiscal Year in augmentation of Item 223, Budget Act of 1953. Of the amount appropriated by this section not more than sixty thousand dollars (\$60,000) shall be expended during the 1953-1954 Fiscal Year to contract with the State Fire Marshal for inspection of dry cleaning establishments as required by Chapters 2 and 3 of Part 2, Division 12 of the Health and Safety Code and not more than twenty five thousand dollars (\$25,000) shall be expended during the 1953-1954 and 1954-1955 Fiscal Years to contract with the State Fire Marshal".

**Amendment No. 4**

On page 2 of the printed bill, strike out all of lines 5 and 6.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1086**

Senator Powers moved that Senate Bill No. 1086 be withdrawn from Committee on Agriculture for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1086**—An act to amend Section 2980.5 of the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Bill read second time.

**Motion to Amend**

Senator Powers moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in Senate March 11, 1953, after the period, insert "For the purposes of this section bovine animals of the Galloway, Hereford, Polled Hereford, Aberdeen-Angus, Shorthorn (other than milking Shorthorn), and Brahma breeds or crossbreeds within any of said breeds, and steers of any breed or crossbreed, including dairy breeds and crossbreeds, are not 'dairy cattle.'"

**Amendment No. 2**

On page 2, line 23, strike out "Sections 2959a and 2965", and insert "For such purpose 'cattle' as defined in this section shall have the same meaning as 'mort-gagor.' Section 2959a".

**Amendment No. 3**

On page 2, line 23, strike out "are", and insert "is".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1231**

Senator Byrne moved that Senate Bill No. 1231 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

## SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1231**—An act making an appropriation to the departmental accounting officer, Department of Agriculture, for the payment of claims against the State of California.

Bill read second time.

## Motion to Amend

Senator Byrne moved the adoption of the following amendments:

## Amendment No. 1

On page 1, line 1, of the printed bill, after "of", insert "twenty-three thousand six hundred thirty-eight".

## Amendment No. 2

On page 1, line 1, after "\$", insert "23,638".

## Amendment No. 3

On page 1, strike out lines 7 through 10, and insert

"Orville E. Tracy	\$11,198.35
Emery F. Jesse	457.35
Gordon J. Addis	67.00
Richard C. Anderson	577.00
Anderson & Giles	1,460.00
Louis V. Andrade	20.00
George M. Conway	102.60
J. N. Cook	1,070.50
Neal A. Cook	120.00
George L. Edwards	38.00
Lewis C. Gage	114.00
Albert E. Gates	117.00
Joseph Girard	47.50
Wayne E. Hoobler	57.00
J. H. LeGrande & Sons	43.50
Frederick M. McKee	45.00
Meline & Rabo	127.00
Clark Mercer	30.10
Clarence A. Milligan	125.40
Martin Mirande	93.75
Merton H. & Marjorie Newhall	2,192.90
Harry H. Ossenbrüggen	26.00
Donald A. Phillips	324.00
Elmer Silver, Jr.	60.00
Howard L. Sohnrey	107.00
T. C. Spencer	34.80
Kenneth Walker	54.20
Harold E. Williams	992.75
H. C. & O. T. Wilson	43.80
Wilford Bauer	728.50
Maurice A. Callaghan	159.00
W. C. Hickman	64.00
Martin Larzabal	816.00
E. W. Leininger	450.00
Carroll Owens	78.75
C. C. Williams	261.25
Yunca & Dagorret	301.50
Ralph Bettenelli	233.00
Jerry Garzoli	37.50
Marvin P. Jones	37.50
Mervin A. McDonald	37.50
Fred Martin	37.50
Wm. E. Steinbeck	37.50
Clarence Wright	37.50
Garry O. Stewart	137.50
D. D. Huartson	407.00
John L. Garat	30.00"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1951**

Senator Byrne moved that Senate Bill No. 1951 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1951**—An act to add Section 20.5 to the Fish and Game Code, relating to employees of the Department of Fish and Game. Bill read second time.

**Motion to Amend**

Senator Byrne moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "20.5. No deputy, warden, patrol captain, or other employee, whose principal duties consist of active law enforcement service, shall be assigned for service to a headquarters outside the county in which his headquarters is located for a longer period than 30 days, except :".

**Amendment No. 2**

On page 1 of the printed bill, line 12, after "locality", insert "in which case assignments shall be in inverse order of seniority,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Rules has examined:

**Senate Bill No. 87**—An act relating to assessments of water conservation districts in Santa Clara County, and declaring the urgency thereof, to take effect immediately;

**Senate Bill No. 173**—An act to amend Section 1262 of the Agricultural Code, relating to produce dealers;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1953, at 3 p.m.

POWERS, Chairman

**Committee on Education**

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

**Senate Bill No. 13**

**Assembly Bill No. 380**

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT: The Committee on Education, to which were referred:

**Senate Bill No. 731**

**Senate Bill No. 1230**

**Senate Bill No. 885**

**Senate Bill No. 1886**

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.



## SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT : The Committee on Education, to which was referred :

Senate Bill No. 722

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; noes 2; absent 2.

DONNELLY, Chairman

Above reported bill re-referred to Committee on Finance.

## SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT : The Committee on Education, to which was referred :

Assembly Bill No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 6; noes 2; absent 2; 1 not voting.

DONNELLY, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 14, 1953

MR. PRESIDENT : The Committee on Education, to which were referred :

Senate Bill No. 15

Assembly Bill No. 92

Assembly Bill No. 2762

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

DONNELLY, Chairman

Above reported bills ordered to second reading.

## Committee on Finance

## SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT : The Committee on Finance, to which was referred :

Senate Bill No. 1922

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

HULSE, Chairman

Above reported bill ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT : The Committee on Finance, to which were referred :

Senate Bill No. 483

Assembly Bill No. 268

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

## SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT : The Committee on Finance, to which were referred :

Senate Bill No. 575

Assembly Bill No. 546

Senate Bill No. 770

Assembly Bill No. 622

Senate Bill No. 1634

Assembly Bill No. 969

Assembly Bill No. 519

Assembly Bill No. 1075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

HULSE, Chairman

Above reported bills ordered to second reading.

**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1420

Assembly Bill No. 388

Assembly Bill No. 387

Assembly Bill No. 389

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 391

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 855

Assembly Bill No. 2056

Assembly Bill No. 1686

Assembly Bill No. 2103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Assembly Bill No. 1661

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1106

Assembly Bill No. 643

Assembly Bill No. 1663

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

HAROLD T. JOHNSON, Chairman

Above reported bills ordered to second reading.

**ADJOURNMENT**

At 4.16 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Thursday, April 16, 1953.

JOHN F. LEA, Minute Clerk

## CALIFORNIA LEGISLATURE

1953 REGULAR SESSION

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# SENATE DAILY JOURNAL

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FORTY-NINTH LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

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## IN SENATE

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SENATE CHAMBER, SACRAMENTO

Thursday, April 16, 1953

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,  
presiding.

Secretary J. A. Beek at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Echert, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—37.

Quorum present.

### PRAYER

Prayer was offered by the Chaplain, Rabbi Irving I. Hausman.

### LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Regan, on motion of Senator Powers, due to legislative business.

Senator Gibson, on motion of Senator Powers, due to legislative business.

### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators O'Gara, Breed, and Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from the University of California: Mary Ishii, Kenneth Ishii, Richard Schnel, Walter Moran, Werner Sommer, and Orvar Von Laass.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James A. Nutting of Susanville and Thomas C. Carson of Reno.

On request of Senator Miller, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Instructors W. Nunes, Mrs. Margaret Shanks, Mrs. Eunice D. Ernest, Parents Mrs. Bowman, Mrs. Cox, Mrs. Cooper, Mrs. Whitworth, Mrs. Clark, Mrs. Ruth Rutherford, Mrs. Elenor Sheets, Mrs. Neff, Mrs. Mann, Mrs. Paul, Mrs. Sweeny, Mrs. McKinney, and the following students from Loma Vista Intermediate School, Concord: Carolyn Adams, Douglas Anderson, George Armstrong, Jimmie Bartneck, Terry Bowman, Steve Burks, Jo Ann Butler, Carol Clark, David Cooper, Arnett Conklin, Leonard Del Monte, Carl Ellis, Judy Fisher, June Garlick, Carol Groene, Kyle Kellogg, Cathy Kelly, Lana Meadows, Norman Mickey, Glenice Morris, Shirley Nichols, Bob Rose, Arthur Spessard, David Stafford, Darlene Enocks, Bruce McCarkle, Cabral Joseph, Keith Tate, Harold Touchstone, Edward Zickefoose, Eldon Belcher, Donald Calbreath, Edith Carlston, Michael Carpenter, John Chernoh, James Clement, Carol Cooper, Dorothy Cree, Dianne Evans, Beverly Fairfield, Alice Flori, Wanda Funderburg, Peter Hiltz, Joseph Himsi, Lanell Hinton, Catherine Jones, Darryl Jones, Bettye Jordan, Bruce McChesney, Russell Moser, Terry Neff, Robert Nosler, Norman Nunes, Wayne Price, Ann Rutherford, David Silva, Roger Smith, Margaret Sheets, Maude Stone, Grant Tod, Jeanne Trevorow, Janice Vanicek, Philip Young, Steven Bordi, Belva Bosen, Sharm Brudlove, Nancie Brotsch, Carol Bucher, Isabel Catambay, Elaine Churchfield, Joyce Cox, Ruth Crain, Madeline Deklotz, Ann De Temple, Jack Dinwiddie, David Dunlap, Pat Hanson, Nancy Itanen, Richard James, Norman Lobdell, Helena Mann, Mike McKinney, Connie Meek, Jeffrey Moore, Rodney Moore, Warren Moore, Sandra Nelson, Bonnie Lou Paul, Charlotte Quigley, Lucy Reed, Edward Smith, Susan Sweeny, John Turner, Robert Vincent, Janice Whisler, and Ida Yamamoto.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry E. Reynolds of San Bernardino.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from San Mateo Junior College: Mary Lou Cocanougher, Mary Rae Yelick, Marjorie Holst, Marlin Gill, Dick Valladao, Heywood Mansergh, Jan Robbin, Maxine Atwater, Sue Carolyn Thiess, Gail Howes, Themois Condos, Marjorie Brittin, Mrs. Patricia Roney, Kay Bowen, Bob Woody, Robert Mathiesen, James S. Kemp, and Eugene Paul Terry.

On request of Senator Harold T. Johnson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from the North San Juan School: Phillip Jorgenson, Janice Snoen, Helen Upham, Leanne Lusk, Clifford Young, Betty Ann Troxel, Muriel Atchinson, Bernadine Bobb, Artie Gallez, Karen Keek, Stanley Stanton, Jim Troxel, Clint Allen, Jackie Tomlin, Candace Lusk, George Goodin, Gary Swinney, Robert Robinson, Mary Joan Campbell, Mrs. Cleda Ross, Mr. R. Lee Ross, Mrs. Warren Carman, Mrs. Lloyd Munro, Mr. Oliver Milhous, Mrs. Frances Milhous, Mrs. Elsie Upham, William Corbett, Perry Spease, John Sullivan, Emogene Woodruff, Bob Carman, Phyllis Hudson, Robert Corbett, Richard Corbett, Doris Robinson, Glenna Weeker, Ronald Corbett, Ronald Munro, Richard Milhous, Gary Woodruff, Sandra Munro, Gaylon Carman, Hubert Woodruff, Franklin



Milhous, Robert Robinson, Christine Callinson, Randy Weeker, Patricia Robinson, Carol Corbett, Ronald Carman, and Sharlene Vance.

On request of Senators Abshire and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to **George A. Dondero of Petaluma.**

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Ruth Knierim, Juanita Russell, and the following fifth grade students of El Dorado School: Earl Bartell, Larry Best, Terry Cooney, Robert Estes, Larry Glass, Raymond Hernandez, Robert Kern, Eugene McKinney, Billy Moss, Jimmy Parino, Steven Shaw, Lloyd Smothers, Robert Strouse, Thomas Swanton, Harry Viani, Thomas Woodhouse, Billy Woska, Karen Alexander, Joan Beam, Betty Colbert, Charlotte Cristoni, Charlene De Cuir, Bernis Dewell, Andrea Kahl, Judy La Rue, Sandra Massi, Sally Ninnis, Betsy Prucha, Cristen Pugh, Barbara Roenspie, Mary Ellen Sinkler, and Helen Stephenson.

On request of Senator Berry, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Robert Briggs, Robert Kohler, Mrs. M. McMahan, and the following students of the Ione Union High School: Connie Knutson, Marie Thomas, Vera Cady, Jean Foucher, Mel Gebhardt, Jim Irwin, Duncan Kinsler, Donna Mace, Jackie Miller, Jim Nichols, L. Scott, Martha Watson, Ken Smith, Carol Wilson, and John Ellis.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teachers Sister Mary Evangelist, Sister Mary Kevin, Sister Mary Oliver, Sister Mary Celestine and the following Eleventh and Twelfth Grade students of St. Joseph Academy High School: Fortunata Algosio, Constance Andrews, Ella Arnold, Georgina Basich, Jeane Bell, Dorothy Burnside, Joyce Byer, Loretta Choy, Joan Cook, Genie Deierling, Julia Delgado, Joan Domich, Lydia Duarte, Marjorie Evans, Mabel Lee Glerio, Frances Gomes, Gloria Gonzalez, Shirlee Harrison, Florence Hauser, Shirley Heimbaugh, Mary Hoerner, Ursula Kehoe, Jane Lamme, Mary Mae Lind, Lydia Lozano, Helen Oropeza, Betty Ortiz, Nellie Radovanovich, Della Sanders, Mary Helen Santos-Coy, Esperanza Soto, Janice Stinson, Lou Dell Sweetland, Beverly Taylor, Anna Tomasello, Darlene Tupper, Kathleen Wagner, Eileen Walsh, Rose Yniguez, Carolyn Zuniga, Connie Zuniga, Georgene Zuccaro, Gloria Marquez, Joan Rolf, Virginia Bamberg, Carolyn Bentley, Donna Blake, Martha Braune, Imelda Bruckner, Mary Alice Cardoza, Helen Cerda, Patricia Edholm, Isabel Espinoza, Bertha Falcon, Irene Ferreira, Patsy Greene, Delia Gutierrez, Patricia Harrison, Stephanie Hernandez, Mary Luna, Celia Mazzio, Sharon Mitchell, Darlene Norworthy, Louise O'Keefe, Dolores Ortega, Catherine Ostojka, Norma Otis, Evangeline Patino, Natalie Ponce, Kathryn Rivera, Sandra Ross, Caroline Salinas, Lupe Santos-Coy, Rita Shepard, Delia Stangio, Lupe Vasquez, Audrey Wyrick, Helen Duran, and Sharon Mortensen.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal James Kerr, Vice Principal Bernard Flanagan, and the following Eighth Grade students from Bret Harte School, Hayward: Al Bailey, Bob Bates, Tom

Bissell, Ellis Cary, Robbie Dowell, Bill Drysdale, Monty Foster, Jimmy Gimenez, Jim Kant, Ellwood Keck, Gilbert Lopez, Kurt Pyle, Ken Roner, Mike Smith, Glenn Strutz, Ted Williams, Olga Alvarez, Judy Brooks, Judy Clegg, Patsy Coonce, Beverly Dailey, Sue Darrell, Deanna Edwards, Connie Ganes, Linda Garrett, Joyce Howard, Shirley Johnson, Lorraine Lawrence, Ann Neufeld, Avis Perkins, "Dee" Perkins, Linda Schwalbe, Judy Tyler, Judy Wood, Calvin Abreu, Robert Capp, Ronald Keil, Louie Machado, Robert Medina, Donald Perry, Luis Rubero, Stanley Santos, Leslie Saywell, David Seranton, Myron Swezey, Monte Thwing, Jerry Wilson, Gary Wright, Katherine Beith, Joanne Brown, Melba Cain, Karen Correa, Georgia Covington, Betty Figueria, Genevieve Fraticelli, Sylvia Gomes, Carolyn Johnson, Linda Lyon, Bonnie Meindel, Jacqueline Meredith, Dottie Reynolds, Susan Roberts, Louise Taylor, Barbara Terry, Kathleen Wessman, and Rosemary Zacarias.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray L. Chesebro, City Attorney of Los Angeles.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Herman L. Dorion, Kenneth Worrell, District Superintendent Richard M. Moon, and the following students of Waterford Elementary School: Anita Allen, Marie Allen, Roy Allen, Jerry Armentrout, Gene Bostie, Barbara Bray, Lovell Carroll, Emmett Coleman, Clifford Collins, James Davis, Hattie Faultner, Dewaine Hanson, Benny Howard, Harold Hyatt, Don Inman, Verlia Jenkins, Don Jones, Richard Jones, Ellen Keene, Charles Maples, Norma McCloud, Jeannie Mello, Joyce Mello, Margie Mello, Brain Mickle, Marvin Miller, Betty Perry, Larry Pevhouse, Jesse Phipps, Deanna Price, Frances Price, Alberta Rasmussen, Bob Rocha, Lenita Royer, Keith Sargent, Leroy Sellberg, Jim Sharp, Frank Stevens, Bill Switzer, and Shirley Thompson.

On request of Senators O'Gara and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Director Beatrice K. Hesselberg, and the following students from Laurel Village School, San Francisco: Cara Lynn Costello, Jay Danzig, Sue Eschen, Paula Levin, Stephen Silver, David Rude, Julian Stamper, and Ward Wheldon; also Mrs. Julie K. Refkin of Sacramento.

On request of Senator Hoffman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teacher Ben Renz, Principal Harry Knopf, Bus Driver Rev. C. W. Kirkpatrick, Parent Mrs. Gloria Arnold, and the following students from Ripon Eighth Grade class: John Alleman, Marlin Arends, Betty Arnold, Patricia Bonnet, Jo Ann Brooks, Robert Brown, Tom Brown, Tommy Brown, Carmen Brunold, Ronald Canup, Leah Croisant, Louie De Pedrini, Deanna Driver, Margie Dupre, Barbara Evans, John Fredericksen, Marilyn Fuller, Andy Gavino, Robert George, Harold Groetsema, Cheryl Hagenow, Robert Henderson, Joyce Holley, Connie Hughes, Colleen Klipfel, Janice Lee, Rosie Leon, Louie Leon, Carrie McClure, Joe Morris, Gloria Morrow, Pat Murphy, Mike Murphy, Robert Munoz, Theodore Olvera, Patricia Pearson, Norman Peterson, Rosalie Robbins, Bob Robnett, Helen Sheppard, Dick Sikma, Frank Solario, Larry Stahlberg, Jim Stevens,

Marcia Stinehart, Joan Vander Kamp, Efren Vasquez, Sharon Wallstrom, Dallas Wassink, Violet White, Chester Whitmore, and Dale Wilbur.

On request of Senators Weybret and McCarthy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed Tickle, former Senator from Monterey.

On request of Senator Thompson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Principal Mr. Leonard Herman, Teacher Mrs. Maud Dickinson, and the following students from the Oak Grove School and the Jefferson Union Elementary School: *Oak Grove School*—Jewel Anderson, Diane Anthenien, Michiko Aragaki, Annie Bettencourt, Phyllis Grimes, Amy Hanamoto, Claudia Johnson, Kiki Morimoto, Yoko Nerio, Carol Pospishek, Betty Pruett, Marie Robasciotti, Amelia Vega, Ellis Bowden, Jack Farley, James Farley, Fernando Hernandez, Donald Inokuchi, George Iwanaga, Ernest Nakaji, Kenneth Nelson, Alex Perez, Joe Ramirez, Catalino Romero, Charles Skinner, Tomio Uchiyama, and Ernest Uyeda; *Jefferson Union Elementary School*—Kent Ahlund, Wayne Anderson, Larry Aue, John Avila, Kirby Bennett, James Blackburn, Anthony Candell, Earl Cardova, Etheline Carver, Theodora Castro, Elnora Cheuning, Marjorie Chang, Jane Christopher, Margaret Cole, Congietta Cunningham, Connie Davenport, Kenneth Emmons, Jeanie Fowler, Robert Freitas, Tony Freitas, Helen Fujimoto, Inez Galantine, Maria Gerold, Ross Goldman, Deolinda Gomez, Robert Gurrola, Marie Halloway, David Ham, Nancy Haynie, Bob Henderson, Vincent Horillo, James Hughes, Lucy Jiminez, Janet Johnsen, Shirley Johnson, Margaret Keith, Jimmy Kesler, James Kelly, Lynda Kemp, Dorothy Kurtinitis, Tom Ledesma, Alfred Marshall, Dwight Maxey, Edward Neves, Thelma Pierce, Jack Perry, Evangeline Preciado, Robert Sanchez, Fred Smith, and Jerry Statham.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers Anna Hype and Tom Eversult; and the following Eighth Grade students from Elder Creek School: Candy Arrellano, Susan Baldwin, Janet Baur, Bonnie Beierle, Gilbert Bostwick, Lolita Calisterio, Richard Celiz, Jennie Cervantes, Barbara Cole, Frank Dunbar, Robert Eversult, Joseph Gomez, Dwight Harrell, David Kirkham, Tommy Knight, Richard Kelly, Ralph Martinez, Alice Medina, Rosie Lee Miller, Julie Simmonds, Ted Smith, Bill Smith, Tim Steinberger, Ralph Tedford, Joan Thomas, Sadie Valdez, Imogene Williams, Joan Williman, Barbara Ikegami, Barbara Wilkinson, Ada Lou Nunn, and Evelyn Seabrooks.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following students from McClymonds High School, Oakland: Elizabeth Abrams, Alice Adkins, Willie Leah Almond, Lucille Amos, Sylvia Andrews, Earl Ball, Audrey Ballard, Alfred Barker, Clara Beck, Florence Burgin, Henry Bush, Charles Cage, John Carroll, Sevilla Cherry, Ernest Cresta, Rosemary Curtis, Theresa Dellums, Gloria Dent, Billy Dunn, Joan Dunn, Aileen Everett, Lewis Freeman, Manuel Gastelo, George Grandison, Herman Gray, Robert Green, Theodore Guillory, Fadess Horton, Beverly Howard, Alfred Hughley, Allene Hunter, Huey Jackson, John Jackson, Mae Otis Jackson, Alonzo Johnson, Percy Johnson, Rudolph



Johnson, Shirley Johnson, La Vera Jones, Mamie Gates, Carolyn Tannon, Blanche Joseph, A. D. Lyons, Chester Macon, Geraldine Magurno, Shirley McAlister, Edna McClain, Arnold McCreary, Larry McFarland, Dorothy Morgan, Thurman Murphy, Leroy Nickelson, A. C. Orange, Edna Patterson, Willie Patterson, Joseph Pecot, June Peters, Jerry Redie, John Reynolds, Joyce Roberts, Dolores Robinson, Anna Sanders, Maxine Sloan, Cleo Stokes, Leon Sue, Lillie Survine, Doris Taylor, Gereline Thomas, Larkin Tolliver, Doris Turner, Joan Vaughn, Leroy Wallace, Lee Williams, Louis Williams, Thelma Williams, Carolyn Wilson, Joe Wilson, Clarence Wooten, Alice Wright, Mattie Franklin, and Herman Kirkman.

On request of Senator Montgomery, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Arthur Homan of Hanford.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Randell Larson and Miss Linnie Larson of San Francisco.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1341

Assembly Bill No. 2988

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1656

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 61

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PAUL F. CRUM, Assistant Clerk

#### FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

**Assembly Concurrent Resolution No. 61**—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the seventh day of April, 1953.

#### Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 61, at this time, for consideration.



## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 61

**Assembly Concurrent Resolution No. 61**—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the seventh day of April, 1953.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybreit—31.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## COMMUNICATIONS

The following communication was received and read, and on motion of Senator Ed. C. Johnson, ordered printed in the Journal:

April 10, 1953

*Hon. Ed. C. Johnson  
The State Senate  
Sacramento, California*

**DEAR SENATOR JOHNSON:** This letter is in response to your request for information and advice relative to the action of the Bureau of Milk Control in the establishment of lower minimum prices to producers for fluid milk, which were made effective on April 8, 1953.

In the major milk marketing areas of the State, the minimum price for Class 1 fluid milk to be paid by distributors to producers was reduced. This reduction was 57 cents per hundredweight in Southern California and 34 cents per hundredweight in Northern California, whereas the price to the consumer in Southern California was reduced one cent per quart and in Northern California one half cent per quart. The price reduction to the producer was 11 cents per hundredweight, or \$0.002365 per quart greater than the price reduction to the consumer. The difference between the consumer price reduction and the producer price reduction of \$0.002365 per quart reflects an increase in distributor margins. This increase of slightly less than one-fourth cent per quart was justified on the basis of increases in labor and other costs to milk distributors.

The price reduction to the producer is based primarily on lower feed price quotations, and lower spring and summer production costs which result from other factors. The cost of the basic dairy ration used in Northern California as a measure of feed price changes, expressed as the equivalent of a hundredweight of 3.8 percent milk, was 43 cents less for the month ending February 15, 1953, than for the same period in 1952. It was the equivalent of 27 cents per hundredweight of 3.8 percent milk lower in the 1953 period than between September 16 and December 15, of 1952. Comparable figures for Southern California are 97 cents and 42 cents, respectively. These comparisons are based on the latest data available at the time of the recent hearing. Since then, data for the month ending March 15, 1953, have become available. The cost of the dairy ration for Northern California was the equivalent of 52 cents less per hundredweight of 3.8 percent milk during the month ending March 15, 1953, than during the corresponding months of 1952. For Southern California, the comparable change was a reduction of 84 cents.

In the use of feed price comparisons between fall and spring months in milk pricing, consideration must also be given to the seasonal differences in milk production. With the same feed prices in the two periods, the cost per hundredweight of milk is less during the spring and summer than during the fall and winter.

If you have any further questions, or desire any additional information, we shall be most happy to be of assistance to you.

Very truly yours,

D. A. WEINLAND, Chief of Bureau

## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 76

Senate Bill No. 152

Senate Bill No. 102

Senate Bill No. 835

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1348

Senate Bill No. 1530

And reports the same correctly engrossed.

POWERS, Chairman

## Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 10

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 487

Assembly Bill No. 220

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Concurrent Resolution No. 51

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote; Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 264

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 725

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 73

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Assembly Bill No. 848

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 102

Senate Resolution No. 105

Senate Concurrent Resolution No. 58

Senate Concurrent Resolution No. 59

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported resolutions ordered to third reading.

Call of the Senate

Senator Hatfield moved a call of the Senate.

Motion carried. Time, 2.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

Senator Burns Presiding

At 2.15 p.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Senator McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 58, at this time, for consideration.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 58

**Senate Concurrent Resolution No. 58**—Relative to a twenty-five cent (\$.25) toll on the Golden Gate Bridge.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Berry, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Murdy, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

## ANNOUNCEMENT REGARDING APPROPRIATION BILLS

Senator Hulse announced that he was advised by the Legislative Counsel that Assembly Bills Nos. 558 and 2322 and Senate Bill No. 152 carry an appropriation.

The President ordered Assembly Bills Nos. 558 and 2322 and Senate Bill No. 152 re-referred to the Committee on Finance in accordance with the provisions of Rule 12, Section 5, of the Standing Rules of the Senate.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF SENATE BILLS**

**Senate Bill No. 731**—An act to repeal Chapters 2 and 15 and Articles 1 and 4 of Chapter 16 of Division 3 of, to add Chapters 2 and 15, and Article 1 to Chapter 16, of Division 3 of, to amend Sections 8007, 8008, of, to repeal Sections 9645, 9617, 9809 of, and to add Sections 9645, 9617, 9809, and 9809.1 to, the Education Code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 8 of the title of the printed bill, as amended in Senate April 10, 1953, following "8008," insert "7231, 8728,".

**Amendment No. 2**

On page 32, following line 15, insert

"5202.1. If the Superintendent of Public Instruction does not furnish to the Controller, on or before the fifteenth day of September, the certification referred to in subdivision (a) of Section 5202, he shall not later than said fifteenth day of September, certify to the Controller the total number of units of average daily attendance, computed for each elementary school district, high school district, junior college district, county school service fund and county school tuition fund, during the preceding fiscal year, and the amount to be apportioned to each such school district or fund during the current fiscal year under Articles 5, 6, 7, 8, and 9 of Chapter 15 of Division 3 of this code.

During any month specified in subdivision (a) of Section 5202 in which the certification referred to in said section is not furnished to him by the Superintendent of Public Instruction on or before the fifteenth day of such month, the Controller shall make an advance equal to one-tenth of the amount certified to him under the provisions of this section. The difference between each such advance and the amounts payable under subdivision (a) of Section 5202 for that month shall be added to, or subtracted from, as the case may be, the next monthly payment following receipt of the certification referred to in subdivision (a) of Section 5202.

Warrants drawn under this section shall be drawn on the State School Fund and are not subject to the provisions of Government Code Section 16003."



**Amendment No. 3**

On page 32, line 31, following "11," insert "11.1,".

**Amendment No. 4**

On page 35, line 24, following "year," strike out to and including "Instruction" on line 26, and insert

"The budget shall be approved by the Superintendent of Public Instruction. No allowance shall be made under this article to a county superintendent of schools for any item of current expense or capital outlay with respect to which the county superintendent has failed to comply with the regulations of the Superintendent of Public Instruction which he is herewith authorized to adopt applicable to such item. The regulations adopted by the Superintendent of Public Instruction hereunder shall not be limited to, but shall among other matters:

a. Prescribe procedures relating to budgeting, purchasing and replacing capital outlay items.

b. Prescribe procedures relating to the purchase, replacement, operation and maintenance of automotive equipment.

c. Prescribe the conditions under which the county superintendent of schools may provide services to districts by contract.

d. Prescribe the conditions under which allowances may be made to the county superintendent of schools to contract for the services of special consultants.

e. Prescribe the conditions under which allowances may be made to the county superintendent of schools to assume functions authorized by law to be performed either by the county superintendent of schools or another public agency.

f. Prescribe conditions under which allowances will be made to meet conditions of an emergency nature requiring the establishment and maintenance of emergency schools, the providing of emergency teachers for regular elementary schools, the providing of emergency transportation to regular elementary schools, or emergency apportionments to school districts.

g. Define county school service fund publications and prescribe the procedures to be followed relating to budgeting, printing and distributing such publications.

h. Establish, solely for budget approval purposes, a classification of county school service fund personnel and a salary schedule for each classification.

i. Establish and prescribe formulae for the sole purpose of guidance in determining the amount that may be allowed to each county superintendent of schools."

**Amendment No. 5**

On page 37, line 31, following "district", insert "and".

**Amendment No. 6**

On page 37, line 33, following "to", insert "one or more".

**Amendment No. 7**

On page 48, strike out lines 25 to 40, inclusive, and insert

"Beginning with the Fiscal Year 1955-56 the amount allowed under this article to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the".

**Amendment No. 8**

On page 49, between lines 29 and 30, insert

"7091.1. Notwithstanding anything in this article to the contrary, the amount computed for any elementary school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by two hundred thirty-two dollars (\$232) and had the tax used in making the computation for the district under Article 10 of this chapter been eighty cents (\$.80)."

**Amendment No. 9**

On page 49, strike out lines 45 to 51, inclusive.

**Amendment No. 10**

On page 50, strike out lines 1 to 22, inclusive, and insert

"Beginning with the Fiscal Year 1955-56, the amount allowed under this article to a high school district shall not be more than the amount that would be computed under Section 7092 had the foundation program for the district been computed under Sections 7037.2 and 7039, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed

for the district under Section 7092 and the amount that would have been computed for the district under Section 7092 had the foundation program for the district been computed under Sections 7037.2 and 7039, except as to any high school maintained by a high school district determined to be a necessary school by the existence of one or more of the following conditions:".

#### **Amendment No. 11**

On page 50, following line 51, insert

"7092.1. Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6962, and 6971 for the Fiscal Year 1953-54 and as computed under Sections 6943 and 6962, thereafter, by three hundred twenty five dollars (\$325) and had the tax used in making the computation for the district under Article 10 of this chapter been seventy-five cents (\$.75)."

#### **Amendment No. 12**

On page 65, line 17, following "formed," insert "For the purpose of this section the computation of foundation program under Article 4 for each district merged into the union, joint union, or unified district shall be made using the average daily attendance during the preceding fiscal year credited to such district, assuming, if such district had an average daily attendance, exclusive of the average daily attendance of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year of less than 101, that the requirement for teachers pursuant to Section 7034 had been met."

#### **Amendment No. 13**

On page 65, line 36, following "chapter," insert "For the purpose of this section the computation of foundation program under Article 4 for each district merged into the unified district shall be made using the average daily attendance during the preceding fiscal year credited to such district, assuming, if such district had an average daily attendance, exclusive of the average daily attendance of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year of less than 101, that the requirement for teachers pursuant to Section 7034 had been met."

#### **Amendment No. 14**

On page 66, line 6, following "chapter," insert "For the purpose of this section the computation of foundation program under Article 4 for each district merged into a union or joint union district shall be made using the average daily attendance during the preceding fiscal year credited to such district, assuming, if such district had an average daily attendance, exclusive of average daily attendance of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year of less than 101, that the requirement for teachers pursuant to Section 7034 had been met."

#### **Amendment No. 15**

On page 67, strike out lines 1 to 36, inclusive.

#### **Amendment No. 16**

On page 68, following line 45, insert

"SEC. 6.5. Article 4 is added to Chapter 16 of Division 3 of said code, to read:

#### **Article 4. County Forest Reserve School Fund**

7301. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the forest reserve school fund of the county.

The money thus added to the forest reserve school fund and any balance therein on the effective date of this section shall be apportioned by the county superintendent of schools with approval of the county board of education to school districts of the county lying within or adjacent to the United States Forest Reserve.

All of such money placed in the forest reserve school fund shall be apportioned to districts in the manner prescribed prior to the thirtieth day of June of the fiscal year next following the fiscal year in which received.

When a portion of the area of a county is subject to the jurisdiction of the county superintendent of schools of another county, or counties and such portion lies in or adjacent to the U. S. Forest Reserve, no apportionment shall be made to any district from the forest reserve school fund without the approval of the county boards of education of both or all counties. In the event that both or all county boards of education do not concur in the apportionments from the forest reserve school fund

prior to the first day of April of any year the county superintendent of schools of both or all counties shall on that date notify the Superintendent of Public Instruction who shall, not later than 60 days following notification, make the apportionments. Apportionments made by the Superintendent of Public Instruction are final.

Money apportioned to a school district pursuant to this section shall be deposited by the county auditor to the credit of the several funds of the district in the same ratio that district taxes are levied for the several funds."

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 17

On page 69, between lines 45 and 46, insert

"SEC. 8.5. Section 7231 of said code is amended to read:

7231. Not later than July 20th of each year the superintendent of schools of each county in which there is not a county junior college shall certify to the board of supervisors and to the county auditor of the county *in accordance with rules and regulations of the Superintendent of Public Instruction which he is herewith authorized to adopt* the total cost of education during the next preceding fiscal year of all junior college pupils residing in the county and not in any junior college district, nor in any high school district maintaining junior college courses, and the estimated amount needed for that purpose for the current year.

The total cost shall not include outlays for permanent construction or improvements, or moneys received from the State School Fund or from the Federal Government, but shall include one hundred dollars (\$100) per unit of average daily attendance for the use of buildings and equipment."

SEC. 8.7. Section 8728 of the Education Code is amended to read:

8728. The tuition for the education of any such person shall be computed by subtracting from the total current [expenditures] *expense of education of the high school district or unified school district, exclusive of the current expense of conducting classes for adults pursuant to Section 8705, as defined by the State Department of Education,* for the preceding school year the entire income of the high school or unified school district from the apportionments received from the State, *exclusive of allowances computed pursuant to Section 7098, and from apportionments received from the Federal Government,* and the remainder shall be divided by the total number of units of average daily attendance of the high school district or unified school district during the preceding school year, *exclusive of average daily attendance in classes for adults pursuant to Section 8705.*

The total tuition chargeable to any elementary school district shall be computed by multiplying the resulting quotient by the units of average daily attendance during the preceding school year of persons residing in the elementary school district, and not residing on a military reservation of the United States, and attending the high schools of the high school district or unified school district, to which amount shall be added one hundred dollars (\$100) for each of such units of average daily attendance for the use of buildings and equipment.

The total amount chargeable against the unapportioned county high school fund of any county shall be determined by multiplying the quotient by the units of average daily attendance during the preceding school year of persons residing in the elementary school district, and on a military reservation of the United States, and attending the high schools of the high school district or unified school district."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 885**—An act to amend Sections 6703, 6711, 6713 of the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

#### Amendment No. 1

Following line 1 of the title of the printed bill, as amended in the Senate March 31, 1953, insert ", 6803, 6813, 6814, 6815, 6816, 6822, 6823, 6833, 6841, 6854, 6901, 6911, 6921, 6931, 6932, 6933, 6934, 6951, 6961, 8005, and 8815, to repeal Section 4972, 8704,

as added by Chapter 401 of the Statutes of 1947, and Section 8704, as added by Chapter 228 of the Statutes of 1951, and to add Sections 8704, 8705, 9707, and Chapter 10.1 to Division 4".

**Amendment No. 2**

On page 6, line 40, of said bill, following "9191", insert "and apportionments from the State and Federal Government".

**Amendment No. 3**

On page 7, line 30, beginning with "The", strike out to and including "apportionments," on line 35, and insert "The requirement that 175 be used as a divisor in computing average daily attendance in schools and classes maintained by a county superintendent of schools and the requirement that a district maintain school for at least 175 days shall not apply to the computation of average daily attendance in schools and classes maintained by the county superintendent of schools in the 1952-53 Fiscal Year, or to apportionments from the State School Fund made for attendance in the 1952-53 Fiscal Year. The provisions of law in effect January 1, 1953, requiring a divisor of 170 and requiring that school be maintained at least 170 days shall apply to such computations and such apportionments."

**Amendment No. 4**

On page 7, following line 35, insert  
"Sec. 31. Section 4972 of said code is repealed."

**Amendment No. 5**

On page 7, line 36, strike out "31", and insert "32".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1230**—An act to amend Sections 21155.1 and 21159 of the Education Code, relating to tuition fees and refunds for California Maritime Academy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1 of the printed bill, as amended in Senate February 25, 1953, strike out all of line 8, and insert "who upon enrollment does not qualify for financial".

**Amendment No. 2**

On page 1, lines 10 and 11, strike out "and therefore pays the tuition fee of students not so qualified".

**Amendment No. 3**

On page 1, line 12, following "shall", insert "for the period for which he qualifies for financial assistance from the Federal Government".

**Amendment No. 4**

On page 2, line 4, strike out "Any stu-".

**Amendment No. 5**

On page 2, strike out all of lines 5 through 15.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 1886**—An act to amend Section 10503 of the Education Code, relating to courses in junior high schools.

Bill read second time.



**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 8752.5 and 10503.5 to,".

**Amendment No. 2**

On page 1, after line 6, insert

"SEC. 2. Section 8752.5 is added to said code, to read:

8752.5. Whenever a majority of the boards of trustees of the elementary school districts comprising the high school district approve a change in the course of instruction in the junior high school or junior high schools established pursuant to this article, and file a written statement of approval with the high school board, then the course of instruction in the junior high school or junior high schools may be changed in accordance with the written statement of approval.

SEC. 3. Section 10503.5 is added to said code, to read:

10503.5. The course for junior high school comprising the seventh and eighth grades only shall be designed to fit the needs of pupils of the seventh and eighth grades. The course shall be prepared under the direction of the governing board having control thereof and shall be subject to the approval of the State Board of Education."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**Senate Bill No. 13**—An act to amend Section 7802 of the Education Code, relating to school district public works.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 15**—An act to amend the chapter heading of Chapter 7 of Division 3 of, to amend Section 5801 of, to amend and renumber Section 5841 of, to repeal Sections 5803, 5804, 5805, and 5806, Articles 2 and 3 of Chapter 7 of Division 3, and Article 10 of Chapter 7 of Division 4 of, and to add Sections 5803 to 5805, inclusive, and 9123 to, the Education Code, relating to vocational rehabilitation and teaching the blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 5 of the printed bill, strike out lines 27, 28, and 29.

**Amendment No. 2**

On page 5, line 30, strike out "9899", and insert "9898".

**Amendment No. 3**

On page 5, line 33, strike out "9900", and insert "9899".

**Amendment No. 4**

On page 5, line 38, strike out "rehabilitation centers and".

**Amendment No. 5**

On page 5, line 40, strike out "9901", and insert "9900".

**Amendment No. 6**

On page 6 of the printed bill, as amended in Senate April 8, 1953, between lines 37 and 38, insert

"SEC. 7.5. It is specifically provided that this act is not intended to and shall not be construed so as to affect in any way administratively or otherwise any existing program for the blind including the orientation program, the field program, the field service, the business enterprise and vending stand program and the workshops operated by the California Industries for the Blind. These existing programs are to remain administered exclusively for the blind and are not to be utilized for the care,

orientation, training, rehabilitation or employment of handicapped persons who are not blind except as specifically provided in the law relating to such existing program."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 1922**—An act to amend the chapter heading of Chapter 10 of Division 4 of, to amend Sections 9701, 9191, 9702 of, to add Sections 6897, 9797, 9700, 9700.1, 30, 9701.1 and 9701.2 of, and to repeal Section 9192 of, the Education Code, relating to adult education.

Bill read second time.

**Motion to Amend**

Senator Harold T. Johnson moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate March 19, 1953, strike out line 16, and insert "civic, vocational, literary, technical and general education. 9701.95. All".

**Amendment No. 2**

On page 2, line 22, strike out "Nothing", and insert "Except as provided in Section 9701.05 nothing".

**Amendment No. 3**

On page 3, strike out lines 9 to 12, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 483**—An act to amend Sections 785 and 830.3 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Finance:

**Amendment No. 1**

On page 2, line 46, of the printed bill, as amended in Senate March 30, 1953, strike out "Section", and insert "SEC. 2. Section".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

**Senate Bill No. 575**—An act to add Sections 6527, 6527.1, 6527.5, 6528, 6534.1, 6534.2, 6534.3, 6534.4, 6534.5, 6534.6, 6550.5, 6550.6, 6627.5, and 6627.6 to, and to amend Section 6630 of, the Business and Professions Code, relating to barbers.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 770**—An act to amend Sections 4314, 4315, and 4316 of, and to add Sections 4316.5 and Article 8.5 to Chapter 17 of Division 6 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1634**—An act to amend Section 145 and to repeal Sections 143 and 144 of the Education Code, relating to deputy superintendents of public instruction.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1420**—An act to amend Section 14745 of, and to add Section 14745.5 to the Education Code, relating to the use and disposition of certain funds in the possession of school districts discontinuing local district retirement plans.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 855**—An act to amend Section 421 of the Education Code, relating to the salary of the superintendent of schools of a county of the twenty-first class.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill No. 1106**—An act to amend Sections 35119, 35121, and 35122 of the Government Code, relating to cities.

Bill read second time.

#### Motion to Amend

Senator Brown moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, line 25, of the printed bill, as amended in Senate April 9, 1953, before "If", insert "35122."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

#### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 686**—An act to add Sections 20952.5 and 21264 to the Government Code, relating to the State Employees' Retirement System in respect to local safety members thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 844**—An act to amend Section 11374 of the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1525**—An act to amend Section 11422 of the Government Code, relating to the effective filing date of administrative regulations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2004**—An act to repeal Part 8 of Division 3 of Title 2 of the Government Code, relating to the powers and duties of the Governor as to planning and research.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2005**—An act to amend and renumber Section 11011 of the Government Code as added by Chapter 1743 of the Statutes of 1951, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2006**—An act to amend and renumber Section 11009 of the Government Code as added by Chapter 101 of the Statutes of 1945, relating to the investment of funds by state agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2007**—An act to amend and renumber Section 11007.5 of the Government Code as added by Chapter 1612 of the Statutes of 1951, relating to state agencies insuring its officers and employees against flight injuries.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1991**—An act to amend Section 35201 of the Health and Safety Code, relating to the powers and duties of the Commissioner of Corporations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2016**—An act to repeal Section 8352 of the Public Resources Code, relating to rights of way over state land.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2888**—An act to add Sections 5474 to 5474.10, inclusive, to the Health and Safety Code, relating to the imposition, levy and collection of fees or charges for connections to sanitation or sewerage facilities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 54**—An act to add Sections 32005, 32006, 32007, 32008, 32009, 32010 and 32011 to the Health and Safety Code, and to add Chapter 5 to Division 23 thereof, relating to hospital districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1515**—An act to add Section 32100.6 to the Health and Safety Code, relating to the recall of members of the board of directors of hospital districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2912**—An act to amend Sections 102 and 104 of the Health and Safety Code, relating to the State Board of Public Health.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

##### Amendment No. 1

In line 1 of the title of the printed bill, after "102", insert ", 103,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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##### Amendment No. 2

On page 1, between lines 14 and 15, insert

"SEC. 2. Section 103 of said code is amended to read:

103. [The] *Except as otherwise expressly provided, the members of the board, other than the director, shall be appointed by the Governor for a term of four years and shall*



hold office until the appointment and qualification of their successors. The terms of the members of the board in office [when this code takes effect] on the effective date of the Statutes of 1953 shall expire in the order heretofore established, as follows: [two members, January 15, 1940; two members, including the dentist, January 15, 1941; two members, January 15, 1942; one member, January 15, 1943. The terms shall expire in the same relative order as to each member as the term for which he holds office before this code takes effect.] *Two members, January 15, 1954; one member, January 15, 1955; two members, January 15, 1956; two members, including the dentist, January 15, 1957. The terms of the two members first appointed to the offices created by the 1953 amendment to Section 102 shall expire as follows: One member, January 15, 1955; and one member, January 15, 1957. In making the first appointments to those offices the Governor shall designate the term for which each such member is appointed.*

Vacancies shall be filled by appointment for the unexpired term."

#### Amendment No. 3

On page 1, line 15, strike out "SEC. 2.", and insert "SEC. 3."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2073**—An act to add Section 20493 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

#### Amendment No. 1

On page 1, line 12, after "of," insert "increase".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 380**—An act to amend Section 16273 of the Education Code, relating to the definition of school bus.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1**—An act to amend Section 2421 of, and to add Section 2421.5 to the Education Code, relating to school districts, and declaring the urgency thereof.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

#### Amendment No. 1

On page 1, line 19, of the printed bill, as amended in Assembly March 23, 1953, strike out "the school district of such city", and insert "any elementary, high school, junior college, or any other school district within said city".

#### Amendment No. 2

On page 2, line 20, strike out the period, and insert "; except proceedings in which the notice of intention to circulate the petition for annexation as required by Government Code Section 35112 has been filed with the city clerk, or in which the city legislative body has approved the annexation by ordinance, or resolution, as the case may be, for other city annexation proceedings."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 92**—An act to amend Section 13675 of the Education Code, relating to the compensation of school employees on sabbatical leaves of absence.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Education:

**Amendment No. 1**

On page 1, line 22, of the printed bill, as amended in Senate April 9, 1953, after "than", insert "the difference between the salary of the employee on leave and the salary of a substitute employee in the position which the employee held prior to the granting of the leave and not more than".

**Amendment No. 2**

On page 1, line 24, after "period", insert ", except that if the governing board of any district has adopted a rule governing the payment of salaries to employees absent from duty because of illness, such board may, at its option, agree to pay employees taking leave of absence pursuant to Section 13673 compensation at the same rate as provided by the rule governing absences because of illness".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2762**—An act to amend Section 12142 of the Education Code, relating to the Public School System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment was proposed by the Committee on Education:

**Amendment No. 1**

On page 2, line 18, of the printed bill, strike out the period, and insert "in terms of educational significance and from an educational standpoint or viewpoint."

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 268**—An act to add Section 5010 to the Education Code, relating to audits of school funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Finance:

**Amendment No. 1**

On page 1, line 28, of the printed bill, after "with", insert "the county clerk of the county in which the district is located,".

**Amendment No. 2**

On page 2, line 1, of said bill, after "Education", insert a comma.

**Amendment No. 3**

On page 2, line 15, of said bill, after "such", insert "audits,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 519**—An act to amend Sections 10205, 10209, 10270.5, 10270.9 and 10270.95 of, to amend Section 10270.93 and renumber it 10270.94 of, and to add Sections 10205.5, 10205.6, 10210.5,

10270.91, 10270.92 and 10270.93 to, the Insurance Code, all relating to insurance.

Bill read second time.

**Motion to Amend**

Senator McBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate April 7, 1953, strike out "10270.9".

**Amendment No. 2**

On page 10, line 2, strike out "and".

**Amendment No. 3**

On page 10, line 5, after "10291.5", insert "and of Section 10291.6".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 546**—An act to amend Section 674.5 of the Agricultural Code, relating to standards and labeling requirements for milk or milk products containing added product not derived from milk.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 622**—An act to add Section 829.9 to the Agricultural Code, relating to standards for fruits, nuts, and vegetables.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 969**—An act to amend Section 3300.5 of the Health and Safety Code, relating to the tuberculosis subsidy from the State to cities, counties and cities and counties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1075**—An act to amend Sections 2810 and 8140 of the Elections Code, relating to the nomination and election of presidential electors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 387**—An act to repeal Section 27060 of the Government Code, relating to the treasurer's annual settlement with the auditor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 388**—An act to amend Sections 53601, 53602, 53603, 53604, 53605, and 53638 of the Government Code, relating to funds of local agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 389**—An act to repeal Section 24053 of the Government Code, relating to a requirement that all county officers know the condition of the treasury and the claims against it.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 391**—An act to amend Section 29820 of the Government Code, relating to the payment of warrants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Local Government:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 29820", and insert "Sections 16374 and 29820".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

**Amendment No. 2**

On page 1, after line 7, insert

"SEC. 2. Section 16374 of said code is amended to read:

16374. Whenever any money has been deposited in trust in the treasury by any state agency because it has remained unclaimed, or the claimant cannot be found, the Treasurer shall hold it for the claimant for a period of two years and if it is not paid within that period, the amount so deposited shall revert to and become a part of the General Fund[.], *except that the face amount of each unclaimed warrant deposited pursuant to Section 16373 shall revert and be credited by the Controller to the fund against which the warrant was drawn.*"

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 1686**—An act to amend Section 53205 of the Government Code, relating to charges against funds of local agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1807**—An act to amend Sections 34856 and 36510 of the Government Code, relating to the government of cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2056**—An act to amend Section 45053 of the Government Code, relating to city personnel.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2103**—An act to amend Section 43069 of the Government Code, relating to the powers of sixth class cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1661**—An act to amend Section 11590 of the Business and Professions Code, relating to subdivision maps and the dedication of streets thereon.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 643**—An act to amend Section 1 of the Storm Drain Maintenance District Act (Chapter 265 of the Statutes of 1937), relating to the maintenance and construction of additional storm drain channels or structures.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1663**—An act to amend Section 31521 of the Government Code, relating to county employee retirement systems.

Bill read second time, and ordered to third reading.



**Assembly Bill No. 309**—An act conveying certain tidelands and lands lying under inland navigable waters, situated in San Francisco Bay to the City of Sausalito, for public purposes and benefits, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time.

**Motion to Amend**

Senator McCarthy moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended in Senate March 20, 1953, strike out lines 22 to 27, inclusive, and insert "the westerly line of Railroad Avenue, S. 7° 30' E., 760.713 feet, thence crossing Railroad Avenue East 253.821 feet to the".

**Amendment No. 2**

On page 2, line 30, strike out "27.65", and insert "100.02".

**Amendment No. 3**

On page 2, line 36, strike out " , containing 21.89 acres more or less".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**MOTION TO RECONSIDER**

**Assembly Bill No. 1255**—An act to amend Section 14254 of the Financial Code, relating to the issuance of a certificate to engage in business as a credit union, under the Credit Union Law.

**Motion to Reconsider Assembly Bill No. 1255**

Pursuant to his motion previously made, Senator Desmond moved that the Senate, at this time, reconsider the vote whereby Assembly Bill No. 1255 was passed.

The roll was called, and Assembly Bill No. 1255 reconsidered by the following vote:

**AYES**—Senators Berry, Breed, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Thompson, Ward, Way, Weybret, and Williams—28.

**NOES**—None.

Assembly Bill No. 1255 ordered to the third reading file.

**UNFINISHED BUSINESS**

**Consideration of Assembly Amendments**

**Senate Bill No. 71**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Sonoma, State of California, or to reform certain deeds and agreements, and the disposal of any right, title or interest of the State of California therein.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 71?

**Amendment No. 1**

On page 2, line 18, of the printed bill, as amended in Senate March 23, 1953, strike out "3285", and insert "32.85".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 71 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—31.

**NOES**—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Bill No. 404**—An act to amend Section 13204 of the Health and Safety Code of California, relating to cleaning and dry cleaning.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 404?

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "A bill", and insert "An act".

#### Amendment No. 2

In lines 1 and 2 of the title, strike out "of Article 1, of Chapter 2, of Part 2, Division 12".

**PRINTER'S NOTE**—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

#### Amendment No. 3

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 13204 of the Health and Safety Code is amended to read: 13204. "Cleaning" and "dry-cleaning" mean the process of cleaning or renovating wearing apparel, feathers, furs, hats, fabrics, or textiles by immersion and agitation, [or] immersion only, *or by a dipping or spraying process*, in a volatile, commercially moisture-free solvent, or by the use of a volatile and inflammable product, *or a commercially moisture-free solvent of the chlorinated hydrocarbon type*, applied either manually or by means of a mechanical appliance or device."

#### Amendment No. 4

In line 1 of the title of the printed bill, strike out "bill", and insert "act".

#### Amendment No. 5

On page 1, after line 8, insert

" "Spraying" as used in this section shall not apply to any spotting process."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 404 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Above bill ordered enrolled.

#### Senator Desmond Presiding

At 2.35 p.m., Senator Earl D. Desmond of the Nineteenth District, presiding.

**Consideration of Assembly Amendments**

**Senate Bill No. 762**—An act to amend Section 531 of, and to add Section 531.1 to, the Vehicle Code, relating to the driving too closely of one motor vehicle to another motor vehicle.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 762?

**Amendment No. 1**

On page 2, line 4, of the printed bill, as amended in Senate March 24, 1953, after "passenger", insert "motor".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 762 by the following vote:

**AYES**—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1633**—An act to add Sections 7.5, 7.6, and 7.7 to the Government Code, relating to state boards, commissions, and other bodies, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1633?

**Amendment No. 1**

On page 1, line 14, of the printed bill, as amended in Senate March 16, 1953, after the period insert "Not more than one director shall be represented by such a deputy at any meeting or session of a board, commission, committee or other governing body."

**Amendment No. 2**

On page 2, line 9, after the period, insert "Not more than one such officer shall be represented by such a deputy at any meeting or session of a board, commission, committee or other governing body."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1633 by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Above bill ordered enrolled.

**Consideration of Assembly Amendments**

**Senate Bill No. 1718**—An act to amend Section 28133 of the Government Code, relating to the salaries of county officers.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1718?

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in Senate March 12, 1953, strike out the comma, and insert "and".

**Amendment No. 2**

On page 1, line 11, strike out "and road commissioner,".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 1718 by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Above bill ordered enrolled.

#### Consideration of Assembly Amendments

**Senate Concurrent Resolution No. 52**—Relative to the passing of James Thorpe.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 52?

#### Amendment No. 1

On page 1, line 30, of the printed measure, strike out "Mildred", and insert "Patricia Askew".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 52 by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Above resolution ordered enrolled.

#### REQUEST FOR UNANIMOUS CONSENT

Senator Williams asked for, and was granted, unanimous consent to have Senate Bill No. 501 passed on file, and retain its place on file, at the request of Senator Sutton.

#### THIRD READING OF SENATE BILLS

**Senate Bill No. 499**—An act to amend Section 1106 of the Fish and Game Code, relating to commercial fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Parkman, Sutton, Thompson, Ward, Weybret, and Williams—31.

NOES—Senator O'Gara—1.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1727**—An act to amend Section 6604 of the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, McBride, McCarthy, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—26.

NOES—Senators Donnelly and Kraft—2.

Bill ordered transmitted to the Assembly.



**Senate Bill No. 1336**—An act to add Section 2556(a) to the Business and Professions Code, relating to dispensing opticians.

**Motion to Refer Bill to Inactive File**

Senator Burns moved that Senate Bill No. 1336 be placed on the inactive file.

Motion carried.

**Motion That Senate Joint Resolutions Nos. 1, 3, and 4  
Be Passed on File and Retain Their Place on File**

Senator Hatfield moved that Senate Joint Resolutions Nos. 1, 3 and 4 be passed on file, and retain their places on file, until Thursday, April 23, 1953.

Motion carried.

**Senate Bill No. 429**—An act to amend Section 1300 of the Water Code, relating to applications to appropriate water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**MOTION TO PRINT OPINION OF LEGISLATIVE COUNSEL**

Senator Abshire moved that the following opinion of the Legislative Counsel regarding Taxation of Personal Property be printed in the Journal.

Motion carried.

**OPINION OF LEGISLATIVE COUNSEL**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL  
SACRAMENTO, April 15, 1953

*Hon. F. Presley Abshire*  
*Senate Chamber*

*Taxation of Personal Property—No. 8758*

DEAR SENATOR ABSHIRE: You ask whether Senate Bill No. 1178 applies to agricultural commodities other than wine or brandy.

As amended in the Senate March 30, 1953 some question might be raised as to whether agricultural commodities other than wine or brandy were exempted from taxation by Senate Bill No. 1178. However, we believe that such question has been removed by the amendment made by the Senate on April 14. As amended April 14, Senate Bill 1178 applies only to wine or brandy. It now reads:

“Any wine or brandy produced or manufactured in California by a licensed winegrower or manufacturer which now or hereafter is held by a licensed winegrower or manufacturer for the purpose of further processing, aging, or improvement of quality is subject

to taxation only once. Such wine or brandy shall be subject to taxation only on the first Monday in March on which it is so held immediately following its production or manufacture. The tax on such property shall be subject to all the provisions of this code regarding the assessment, equalization, levy and collection of county taxes, to the extent that those provisions are applicable."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel  
By CHAS. W. JOHNSON, Chief Deputy

Two copies to Hon. Fred Weybret pursuant to Joint Rule 34

**CONSIDERATION OF DAILY FILE (RESUMED)**  
**THIRD READING OF SENATE BILLS (RESUMED)**

Chief Assistant Secretary Cleve V. Taylor at the Desk

**Senate Bill No. 1178**—An act to add Section 2155 to the Revenue and Taxation Code, relating to the taxation of personal property.

Bill read third time.

**Previous Question**

Senator Tenney moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 1178.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Abshire, Brown, Burns, Busch, Byrne, Cunningham, Desmond, Donnelly, Dorsey, Erhart, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Montgomery, Parkman, Powers, Tenney, Thompson, Ward, Way, and Weybret—23.

**NOES**—Senators Breed, Collier, Dilworth, Grunsky, Hulse, McCarthy, Miller, O'Gara, and Sutton—9.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 1713**—An act to repeal Division 3, comprising Sections 12000 to 12403, inclusive, of the Financial Code, and to add a new Division 3 comprising Sections 12000 to 12403, inclusive, to said code, relating to check sellers and cashers.

**Motion to Re-refer Senate Bill No. 1713**

Senator McBride moved that Senate Bill No. 1713 be re-referred to Committee on Financial Institutions.

Motion carried.

**President pro Tempore of the Senate Presiding**

At 3.33 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

**Senate Joint Resolution No. 29**—Relating to the welfare of the Indians of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, and Weybret—28.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Joint Resolution No. 28**—Relative to the leasing of restricted Indian lands in the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Tenney, Thompson, Ward, Way, and Weybret—27.

**NOES**—None.

Resolution ordered transmitted to the Assembly.

**Senate Bill No. 76**—An act to amend Section 17786, 17813, 17817, 25121a, and 25121c of, and to add Sections 17314.5, 17314.7, 17784.7, 17784.9, 24121i.1, 24121i.2, 25101a.1, and 25101a.2 to, the Revenue and Taxation Code, relating to personal income and bank and corporation taxation, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, line 50, of the printed bill, as amended in Senate April 15, 1953, strike out "17784.8", and insert "17784.9".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

**Senate Bill No. 835**—An act to amend Section 51360 and Section 51362 of the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Tenney, Thompson, Way, and Weybret—28.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Senate Bill No. 102**—An act to amend Section 6854 of the Public Resources Code, relating to leases of public lands for the production of oil and gas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Burns, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—30.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 436**—An act to amend Sections 18802, 18805, 18807 and 18908 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

**AYES**—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Montgomery, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, and Weybret—27.

**NOES**—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 633**—An act to add Sections 19406 and 19407 to the Revenue and Taxation Code, relating to personal income taxes, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Bill read third time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in Assembly March 18, 1953, after "part," insert "wilfully".

**Amendment No. 2**

On page 1, line 6, after "who," insert "wilfully and".

**Amendment No. 3**

On page 1, line 7, strike out the comma.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 634**—An act to amend Section 25961 of, and to add Sections 25963 and 25964 to, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts or business trusts, and providing for criminal penalties for failure to file returns or supplying false information with intent to evade tax.

Bill read third time.

**Motion to Amend**

Senator Dorsey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in Assembly March 18, 1953, after "part," insert "wilfully".

**Amendment No. 2**

On page 1, line 7, after "who," insert "wilfully and".

**Amendment No. 3**

On page 1, line 8, strike out the comma.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 490**—An act to amend Section 373 of the Elections Code, relating to indexes of registration, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Senator Burns moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill as amended in Assembly March 5, 1953, strike out "any Member of the Legislature or of Congress, or".



**Amendment No. 2**

On page 1, lines 8 and 9, strike out "to such Member of the Legislature or of Congress or".

**Amendment No. 3**

On page 1, line 12, strike out "such Member of the Legis-"; and strike out line 13.

**Amendment No. 4**

On page 1, between lines 17 and 18, insert

"Upon demand of any Member of the Legislature or of Congress the county clerk shall furnish to such Member of the Legislature or of Congress, one copy of the printed index of the registration for the primary and general elections in which such Member of the Legislature or of Congress may participate without charge and such additional copies as may be requested by said Member of the Legislature or of Congress at a charge of fifty cents (\$0.50) per thousand names."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

**Senator Busch Presiding**

At 3.55 p.m., Senator Burt W. Busch of the Fourth District, presiding.

**Assembly Bill No. 2037**—An act to repeal Section 3451 of the Welfare and Institutions Code, as added thereto by Chapter 959 of the Statutes of 1949, relating to eligibility for aid to partially self-supporting blind residents.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2038**—An act to amend Section 778 of the Welfare and Institutions Code, relating to juvenile court proceedings to declare persons free from the custody and control of their parents.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne, Collier, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Montgomery, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 920**—An act to amend Sections 6651 and 6658 of the Welfare and Institutions Code, relating to charges for the care and treatment of patients of state hospitals for the mentally ill in the Department of Mental Hygiene.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Burns, Busch, Byrne, Collier, Cunningham, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 299**—An act to amend Section 3014.5 of the Civil Code, relating to definition of trust receipts transaction.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2109**—An act to add Section 608.3 to the Vehicle Code and to amend Section 737 of the Vehicle Code, relating to trespassing upon vehicular crossings.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**Assembly Bill No. 2376**—An act to amend Section 5070 of the Streets and Highways Code, relating to the giving of notice to owners of assessed property.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2944**—An act to amend Section 699 of the Vehicle Code, relating to exceptions to length limitations.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Concurrent Resolution No. 49**—Relative to acquisition of the Central Valley Project by the State.

Resolution read third time, and presented by Senator Williams.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Desmond, Dilworth, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**Assembly Bill No. 1966**—An act to amend Section 2843 of the Elections Code, relating to state and county central committees.

Bill read third time, and presented by Senator Grunsky.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Collier, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 2314**—An act to amend Section 14 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to the appointment of election board, notice of election, appointment of sole nominees without election, petitions for election, notice of abandonment of election, furnishing of ballots, conduct of election.

Bill read third time.

#### Motion to Amend

Senator Kraft moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "At a"; and after line 6, insert "(a) At a".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

**Assembly Bill No. 2203**—An act to amend Sections 10051.1 and 10054 of the Elections Code, and to add Sections 10052.1, 10056.1, and 10058 to said code, relating to the consolidation of elections.

Bill read third time, and presented by Senator Miller.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1097**—An act to amend Section 7023 of the Elections Code, relating to the posting of election results.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Byrne, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1104**—An act to amend Section 7924 of the Elections Code, relating to canvass of returns.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Powers, Ward, Way, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1105**—An act to amend Section 9757 of the Elections Code, relating to signatures on nomination papers.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Miller, Montgomery, O'Gara, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**Assembly Bill No. 1106**—An act to amend Section 9854 of the Elections Code, relating to the conduct of municipal elections.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Berry, Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Grunsky, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McCarthy, Miller, Montgomery, O'Gara, Parkman, Sutton, Thompson, Ward, Way, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

#### PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Cunningham:

#### Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 54905 to the Government Code, relating to the filing of statements and maps or plats for tax purposes by cities and districts on creation or change in boundaries, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

SENATOR JAMES E. CUNNINGHAM

#### Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1953

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Berry, Breed, Brown, Busch, Byrne Collier, Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, McBride, McCarthy, Miller, Montgomery, Parkman, Powers, Sutton, Thompson, Ward, Way, Weybret, and Williams—30.

NOES—None.



**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

**Senate Bill No. 1952:** By Senator Cunningham—An act to add Section 54905, to the Government Code, relating to the filing of statements and maps or plats for tax purposes by cities and districts on creation or change in boundaries, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Senate Concurrent Resolution No. 60:** By Senators O'Gara and Dilworth—Relative to congratulating the San Francisco Chronicle and its political editor, Earl C. Behrens, for winning the American Heritage Foundation award.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 61:** By Senators Sutton and Byrne—Relative to the redecking of the Hamilton City Bridge.

Referred to Committee on Rules.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1325

Assembly Bill No. 3420

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 1325**—An act to amend Sections 9002, 9020, and 9021 of, and to add Sections 9002.5 and 9026.5 to, the Business and Professions Code, relating to the regulation of social workers.

Referred to Committee on Business and Professions.

**Assembly Bill No. 3420**—An act to amend Sections 5410.2, 5410.5, and 5425 of, and to add Sections 5426.5, 5426.6, 5663.1, 5663.2 and 5663.3 to the Public Resources Code, relating to withdrawal of territory from a public recreation district.

Referred to Committee on Local Government.

**MESSAGES FROM THE ASSEMBLY**

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1953

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 269

Assembly Bill No. 384

Assembly Bill No. 556

Assembly Bill No. 588

Assembly Bill No. 1614

Assembly Bill No. 1841

Assembly Bill No. 1851

Assembly Bill No. 1957

Assembly Bill No. 2658

Assembly Bill No. 2718

Assembly Bill No. 3011

Assembly Bill No. 3331

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly  
By PATRICK MURPHY, Assistant Clerk

**FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)**

The following bills were read the first time:

**Assembly Bill No. 269**—An act to amend Sections 5402 and 5658 of the Public Resources Code, relating to recreation, park, and parkway districts.

Referred to Committee on Local Government.

**Assembly Bill No. 384**—An act to add Section 18405 to the Education Code, relating to options on school sites.

Referred to Committee on Education.

**Assembly Bill No. 556**—An act to add Section 705.1 to the Vehicle Code, relating to vehicle load limitations.

Referred to Committee on Transportation.

**Assembly Bill No. 588**—An act to add Sections 5417.1 to 5417.15, inclusive, Sections 5660.1 to 5660.15, inclusive, and Sections 5408.1 and 5652.1 to, and to amend Sections 5403 and 5660 of, the Public Resources Code, relating to recreation, park and parkway districts and park, recreation and parkway districts.

Referred to Committee on Local Government.

**Assembly Bill No. 1614**—An act to amend Section 43605 of the Government Code, relating to the incurring of bonded indebtedness of cities.

Referred to Committee on Local Government.

**Assembly Bill No. 1841**—An act to add Chapter 2.2 to Part 2 of Division 2 of Title 3 of the Government Code, relating to county service areas, providing for the establishment thereof, authorizing the furnishing of extended governmental services within such areas and the levy of taxes upon the property within such areas to finance such services.

Referred to Committee on Local Government.

**Assembly Bill No. 1851**—An act to amend Section 2209 of the Education Code, relating to travel expenses for board members.

Referred to Committee on Education.

**Assembly Bill No. 1957**—An act to amend Section 5614 of the Streets and Highways Code, relating to sidewalk repairs.

Referred to Committee on Local Government.

**Assembly Bill No. 2658**—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, and to add Section 23428.5 to the Business and Professions Code, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 2718**—An act to amend Section 8573 of, and to add Section 8650.1 to, the Streets and Highways Code, relating to bonds issued under the Improvement Bond Act of 1915, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

**Assembly Bill No. 3011**—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

**Assembly Bill No. 3331**—An act to amend Sections 5658 and 5666 of the Public Resources Code, relating to park, recreation, and parkway districts.

Referred to Committee on Local Government.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE  
DISPENSED WITH**

At 4.40 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

**Senator Cunningham Presiding**

At 4.41 p.m., Senator James E. Cunningham of the Thirty-sixth District, presiding.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 78**

Senator Brown moved that Senate Bill No. 78 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 78**—An act to add Sections 526.5 and 526.6 to the Fish and Game Code, relative to protection of fish life in District 4½, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Senator Brown moved the adoption of the following amendments:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, strike out “, declaring the urgency thereof, to take effect immediately”.

**Amendment No. 2**

On page 1, line 16, strike out “therefrom”, and insert “from the dam, or any facilities for the generation of hydroelectric energy operated in connection therewith”.

**Amendment No. 3**

On page 1, between lines 17 and 18, insert  
“SEC. 3. The provisions of Section 526.6 shall not be applicable to the operation of any hydroelectric generating facilities in connection with which there is under construction, on the effective date of this bill, a regulatory dam to control the flows below the point where water is released from such facilities, until such regulatory dam is completed, or June 30, 1955, whichever event occurs first.”

**Amendment No. 4**

On page 1, strike out lines 18 to 29, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 143**

Senator Desmond moved that Senate Bill No. 143 be withdrawn from Committee on Social Welfare for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 143**—An act to amend Section 79 of the Unemployment Insurance Act (Chapter 352 of the Statutes of 1935) and Section 407 of the Unemployment Insurance Code, relating to hearings by the California Unemployment Insurance Appeals Board.

Bill read second time.

**Motion to Amend**

Senator Desmond moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill after "of", insert ", and to add Section 79.5 to,".

**Amendment No. 2**

In line 2 of the title, after "and", insert "to amend".

**Amendment No. 3**

In line 3 of the title, after "of", insert ", and to add Section 407.5 to,".

**Amendment No. 4**

On page 1, line 5, strike out "or referee", and insert ", referee or the Division of Administrative Procedure".

**Amendment No. 5**

On page 1, line 10, after the period, insert "Any matter arising under Section 39.1, for the purpose of this section shall be deemed to be a case pertaining to the payment of a benefit claim, and not a matter pertaining to the collection, refund, or computation of a contribution or the propriety of a charge against an employers account."

**Amendment No. 6**

On page 1, between lines 16 and 17, insert "In any matter delegated to the Division of Administrative Procedure pursuant to this section, the proceedings in connection therewith shall be governed by the applicable provisions of this act."

SEC. 2. Section 79.5 is added to the Unemployment Insurance Act, to read:

Sec. 79.5. The Division of Administrative Procedure shall maintain a staff of hearing officers and other personnel as may be necessary for the expeditious handling of all matters delegated to the division pursuant to Section 79. The costs incurred by the Division of Administrative Procedure by reason of this section and Section 79 are expenses of the Department of Employment and shall be paid by the Department from any funds available for the administrative costs of the department."

**Amendment No. 7**

On page 1, line 17, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 8**

On page 1, line 21, strike out "or referee", and insert ", referee or the Division of Administrative Procedure".

**Amendment No. 9**

On page 1, line 26, after the period, insert "Any matter arising under Section 39.1, for the purpose of this section shall be deemed to be a case pertaining to the payment of a benefit claim, and not a matter pertaining to the collection, refund, or computation of a contribution or the propriety of a charge against an employers account."

**Amendment No. 10**

On page 2, between lines 6 and 7, insert "In any matter delegated to the Division of Administrative Procedure pursuant to this section, the proceedings in connection therewith shall be governed by the applicable provisions of this act."

SEC. 4. Section 407.5 is added to the Unemployment Insurance Code, to read:

407.5. The Division of Administrative Procedure shall maintain a staff of hearing officers and other personnel as may be necessary for the expeditious handling of all matters delegated to the division pursuant to Section 79. The costs incurred by the



Division of Administrative Procedure by reason of this section and Section 79 are expenses of the Department of Employment and shall be paid by the department from any funds available for the administrative costs of the department."

#### Amendment No. 11

On page 2, line 7, strike out "SEC. 3. Section 2", and insert "SEC. 5. Sections 3 and 4".

#### Amendment No. 12

On page 2, line 11, strike out "is", and insert "and Section 79.5 as added thereto by this act, are".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 493

Senator Powers moved that Senate Bill No. 493 be withdrawn from Committee on Local Government for purpose of amendment, and referred to committee.

Motion carried.

### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 493**—An act to amend Section 1 of Chapter 1107 of the Statutes of 1951, relating to the number and compensation of the judges, officers and attaches of the municipal court in a district embracing the City of Vallejo.

Bill read second time.

#### Motion to Amend

Senator Powers moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 1 of Chapter 1107 of the Statutes of 1951, relating to the number and compensation of the judges," and insert "repeal Sections 74842, 74843, and 74844 of, and to add Sections 74842, 74843, 74844, 74845, 74846, and 74847 to, the Government Code, relating to the".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Sections 74842, 74843, and 74844 of the Government Code are repealed.

SEC. 2. Section 74842 is added to said code, to read:

74842. There shall be one clerk who shall receive a minimum salary of three hundred fifty dollars (\$350) monthly with increments of twenty dollars (\$20) and twenty-one dollars (\$21) to a maximum of three hundred ninety-one dollars (\$391) monthly.

SEC. 3. Section 74843 is added to said code, to read:

74843. The clerk may appoint:

(a) One deputy clerk who shall receive a minimum salary of two hundred thirty-seven dollars (\$237) monthly with increments of fourteen dollars (\$14) and fourteen dollars (\$14) to a maximum of two hundred sixty-five dollars (\$265) monthly.

(b) Three deputy clerks, each of whom shall receive a minimum salary of two hundred twelve dollars (\$212) monthly with increments of twelve dollars (\$12) and thirteen dollars (\$13) to a maximum of two hundred thirty-seven dollars (\$237) monthly.

(c) Four deputy clerks, each of whom shall receive a minimum salary of two hundred one dollars (\$201) monthly with increments of eleven dollars (\$11) and twelve dollars (\$12) to a maximum of two hundred twenty-four dollars (\$224) monthly.

SEC. 4. Section 74844 is added to said code, to read:

74844. There shall be one marshal who shall receive five thousand dollars (\$5,000) annually.

SEC. 5. Section 74845 is added to said code, to read:

74845. The marshal may appoint:

(a) Two deputy marshals, each of whom shall receive a minimum salary of two hundred sixty-five dollars (\$265) monthly with increments of fifteen dollars (\$15) and seventeen dollars (\$17) to a maximum of two hundred ninety-seven dollars (\$297) monthly.

(b) One deputy marshal who shall receive a minimum salary of two hundred thirty-seven dollars (\$237) monthly with increments of fourteen dollars (\$14) and fourteen dollars (\$14) to a maximum of two hundred sixty-five dollars (\$265) monthly.

SEC. 6. Section 74846 is added to said code, to read:

74846. Attaches shall be hired at the minimum rate of salary except if it is difficult to secure qualified personnel, or if a person of unusual qualifications is hired, in which case the judge may hire at the salary indicated as the second step.

SEC. 7. Section 74847 is added to said code, to read:

74847. After six months of satisfactory employment, the attache shall receive the first increment in salary. After one year of satisfactory service, the attache may receive the second increment in salary. The second increment in salary shall be given after the first year of service only when the judge determines that the attache is properly entitled to receive it."

#### Amendment No. 3

On page 1, strike out lines 2 to 25, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 496

Senator Williams moved that Senate Bill No. 496 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 496**—An act to add Chapter 3 to Part 1 of Division 4 of the Fish and Game Code, relating to the licensing and regulating of fishing and hunting guides.

Bill read second time.

#### Motion to Amend

Senator Williams moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 6, of the printed bill as amended in Senate March 17, 1953, strike out "or 'outfitter'".

#### Amendment No. 2

On page 1, line 16, strike out "or its authorized agents.", and insert a period and "An employee of a licensee who acts as a guide only in connection with his employment need not have a guide license. Each licensee shall be responsible for all acts or omissions of his employees when acting within the scope of their employment."

#### Amendment No. 3

On page 1, strike out lines 17 to 25, inclusive, and insert

"Any person who desires a license as a guide shall make application for such license on a form to be prescribed and furnished on request by the department. The application shall show all of the following:

- (a) The name, age, and address of the applicant.
- (b) The area or areas of the State in which he proposes to operate.
- (c) The type or types of guiding he proposes to engage in.
- (d) The experience which he considers as qualifying him for the type or types of guiding he proposes to conduct.
- (e) The nature and amount of the equipment, vehicles, animals, and other property he proposes to use in his operations as a licensee.
- (f) Such other information and matters as the department may require.

If the applicant proposes to furnish transportation the application shall show the location of the headquarters from which the applicant proposes to operate.

If the licensee is to operate with pack or riding animals in any area in which a grazing permit is required, the application shall be accompanied by such permit.

No license shall be issued to any person under this chapter unless the department finds that he is competent and equipped to perform the functions of a guide.

The license fee shall be ten dollars (\$10) and the license shall be valid for the fiscal year in which issued or, if issued after the beginning of a fiscal year, for the remainder thereof."

**Amendment No. 4**

On page 2, strike out lines 28 to 34, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 748**

Senator Abshire moved that Senate Bill No. 748 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 748**—An act to amend Section 9028 of the Business and Professions Code, relating to social workers.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out the remainder of the line after "that", and insert "in his activities as a social worker he is likely to endanger the health, welfare, or safety of the public."

**Amendment No. 2**

On page 1, line 13, after "act", insert "as a social worker resulting in substantial injury to another".

**Amendment No. 3**

On page 1, strike out all of line 14.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 750**

Senator Cunningham moved that Senate Bill No. 750 be withdrawn from Committee on Elections for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 750**—An act to add Section 1408 to the Elections Code, relating to the cost to the State of constitutional amendments proposed by initiative.

Bill read second time.

**Motion to Amend**

Senator Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 4, strike out "by the initiative process".

**Amendment No. 2**

On page 1, line 5, strike out "Director of Finance", and insert "State Controller".

**Amendment No. 3**

On page 1, line 8, strike out "Director of Finance", and insert "State Controller".

**Amendment No. 4**

On page 1, line 11, strike out "Director of Finance", and insert "State Controller".

**Amendment No. 5**

On page 1, lines 14 and 15, strike out "Director of Finance", and insert "State Controller".

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Elections.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1069**

Senator Williams moved that Senate Bill No. 1069 be withdrawn from Committee on Fish and Game for purpose of amendment, and re-referred to committee.

**Motion carried.**

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1069**—An act to add Article 4.5 to Chapter 5 of Part 2 of Division 4 of, the Fish and Game Code, relating to fish, and declaring the urgency thereof.

Bill read second time.

**Motion to Amend**

Senator Williams moved the adoption of the following amendments:

**Amendment No. 1**

On page 4, line 23, of the printed bill, as amended in Senate on April 6, 1953, after "sardine", insert ", anchovy, jack mackerel,".

**Amendment No. 2**

On page 4, lines 26 and 27, strike out "sardine and/or Pacific mackerel", and insert "such species".

**Amendment No. 3**

On page 4 strike out lines 20 to 37, inclusive, and insert "ing. The sardine season shall close as specified in Section 1086 unless the department estimates the catch shall have reached the quota prior to that date. In the latter event, and in the case of anchovies, jack mackerel and Pacific mackerel, the department shall estimate from the current total of catches the date on which the season's quota will be reached and shall announce that date as the closing date of the season for the species concerned."

**Amendment No. 4**

On page 3, line 29, of the printed bill, as amended in Senate April 6, 1953, after "mackerel", insert ", and, with respect to anchovies, shall be confined to those districts and parts of districts lying north of a line drawn east and west through the outermost point on Point Arguello".

**Amendments read, and adopted.**

Bill ordered printed, and re-referred to Committee on Fish and Game.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1120**

Senator Dilworth moved that Senate Bill No. 1120 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

**Motion carried.**

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1120**—An act to amend Sections 3431, 3461, 3462, 3491, 3492, 3591, and 3661 of the Education Code, relating to high school district organization.

Bill read second time.



**Motion to Amend**

Senator Dilworth moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "3591,".

**Amendment No. 2**

In line 2 of the title of said bill, after the comma, insert "to repeal Section 3670 and Articles 7, 8, and 11 of Chapter 11 of Division 2 of said code, and to add Section 3661.15 to said code,".

**Amendment No. 3**

On page 3, strike out lines 1 to 32, inclusive, and insert  
"SEC. 6. Articles 7, 8, and 11 of Chapter 11 of Division 2 of said code are repealed."

**Amendment No. 4**

On page 3, strike out lines 34 to 51, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"3661. (a) A majority of the registered electors residing in each of one or more elementary, union elementary, or joint union elementary school districts which are part of one or more high school districts, may present to the county superintendent of schools who has jurisdiction over the elementary school districts or a majority thereof, a petition asking for the organization of a union or joint union high school district, as the case may be, to include all of the elementary school districts represented in the petition, provided the following conditions exist:

(1) There are resident in the districts 1,000 or more pupils enrolled in grades 9 through 12 as shown by the last reports of the teachers of the school districts attended, and

(2) The assessed valuation of the districts totals twenty million dollars (\$20,000,000) or more.

The petition shall specify".

**Amendment No. 5**

On page 4, line 15, strike out "two", and insert "one".

**Amendment No. 6**

On page 4, following line 20, insert

"SEC. 8. Section 3661.15 is added to said code, to read:

3661.15. The petition shall not be approved by the State Board of Education (a) unless it appears from a certified statement of the county assessor of the county or counties within which the high school districts are situated from which the elementary, union elementary, or joint union elementary school districts are withdrawing, that the assessed valuation of the territory remaining in each high school district after the withdrawal of the elementary, union elementary, or joint union elementary school districts will be in excess of twenty million dollars (\$20,000,000), and (b) unless it appears from a certified statement of the county superintendent of schools having jurisdiction over the high school districts that the average daily attendance in the high schools of each high school district after the withdrawal of the elementary, union elementary, or joint union elementary school districts will be in excess of 1,000."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1657**

Senator Hatfield moved that Senate Bill No. 1657 be withdrawn from Committee on Water Resources for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1657**—An act amending Sections 22, 23, 310, 1005.1, 1005.2, 2863, 4332, 4333, 4359, 4360, 7045, 7076, 8300, 8360, 8361, 8362, 8373, 8400, 8550, 8685, 8686, 8687, 8688, 8689, 8692, 8693, 8694, 11150, 11400, 11401, 11402, 11410, 11416, 12510, 12586, 12591, 12600, 12609, 12610, 12611, 20015, 20023, 20625, 20820, 23196, 23456, 23460, 24252, 24253, 31006, 32670, 32671, 32672, 32690, 32715, 39463, and the title

of Article 1 of Chapter 2, Division 1, the title of Article 5 of Chapter 3, Part 4, Division 5, the title of Article 6, Chapter 1, Part 3, Division 6, the title of Article 2, Chapter 3, Part 8, Division 12, the title of Chapter 4 of Part 1, Division 14, the title of Article 4 of Chapter 1, Part 5, Division 14, and the title of Article 1 of Chapter 2, Part 5 of Division 14, of, renumbering and amending Sections 200, 201, and 202 of, adding Sections 127, 128, 130, 131, 133, 134, 135, 136, 143, 145, 146, 160, 12510, 12543, 20034, and Articles 2, 3 and 4 to Chapter 2, Division 1, the title to Chapter 3, Division 1, the title to Article 1, Chapter 3, Division 1, Article 7 to Chapter 1, Division 10, and Division 10.5 to, and repealing Sections 203, 1050.5, 1050.6, 1360, 1361, 1362, 1363, 6001, 6050, 6051, 8305, 8308, 8309, 11554, 20544, 20545, and 30029 of, the Water Code, and amending Sections 4001, 11041, 12040, 13570, 14005, 14003, 14255, 14314, 14318, 14351, 14370, 14371, 14377, 16048, and 16049, of, adding Section 14254.5 to, and repealing Sections 14034, 14005, 14006, and 14007, of, the Government Code, creating a Department of Water Resources and providing for the regulation of water resources, all relating to state administration of water resources.

Bill read second time.

#### Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the principal bill, as amended in Senate April 14, 1953, strike out "2863,".

#### Amendment No. 2

On page 7, line 44, after "Sec. 26", insert "Section 1360 of said code is repealed. Sec. 27."

#### Amendment No. 3

On page 7, line 44, strike out "1360,".

#### Amendment No. 4

On page 7, line 46, strike out "27", and insert "28".

#### Amendment No. 5

On page 8, strike out lines 4 to 10, inclusive.

#### Amendment No. 6

On page 16, line 25, strike out the period.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

#### WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1659

Senator Hatfield moved that Senate Bill No. 1659 be withdrawn from Committee on Finance for purpose of amendment, and re-referred to committee.

Motion carried.

#### SECOND READING OF SENATE BILLS (OUT OF ORDER)

**Senate Bill No. 1659**—An act making an appropriation to the Reclamation Board, funds from the Flood Control Fund of 1946 for flood control purposes in connection with the Merced County Stream Group.

Bill read second time.

## Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

## Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation to the Reclamation Board, funds from the Flood Control Fund of 1946 for", and insert "to amend Section 12650 of the Water Code, relating to".

## Amendment No. 2

In line 3 of the title strike out "purposes", and insert "work".

## Amendment No. 3

Between the enacting clause and line 1, insert

"SECTION 1. Section 12650 of the Water Code is amended to read:

12650. The plan of improvement for flood protection on various streams in the Merced County Stream Group in the San Joaquin Valley is adopted and authorized substantially in accordance with recommendations of the Chief of Engineers in House Document Numbered 473, Seventy-eighth Congress, Second Session, at an estimated cost to the State of sixty-one thousand three hundred dollars (\$61,300).

*Notwithstanding any estimated cost to the State contained in this section, local cooperation which shall be furnished by the State in connection with the plan of improvement for flood protection on various streams in the Merced County Stream Group in the San Joaquin Valley, adopted and authorized under this section shall include, without limitation as to the generality thereof:*

(a) *Enlargement of the channel of Miles Creek to the extent indicated on Inclosure 3 of House Document Numbered 473, Seventy-eighth Congress, Second Session.*

(b) *Acquisition of lands, easements and rights of way necessary for construction of the Owens Creek diversion to a capacity of 400 cubic feet second.*

(c) *Providing the following channel capacities of the various creeks:*

(1) *Burns Creek: 2000 c.f.s. on Burns Creek from its confluence with Bear Creek upstream to the section line common to Sections 3 and 10, T. 7 S., R. 15 E., M. D. B. & M.*

(2) *Bear Creek: 2000 c.f.s. from its confluence with Burns Creek upstream to the section line common to Sections 11 and 12, T. 7 S., R. 15 E., M. D. B. & M.; 4000 c.f.s. from its confluence with Black Rascal Creek diversion upstream to its confluence with Burns Creek; 7000 c.f.s. from its confluence with the head of Black Rascal Slough to the Black Rascal Creek diversion; not less than 5000 c.f.s. from its confluence with the lower end of Black Rascal Slough to the confluence with the head of Black Rascal Slough, so that the combined capacity of Bear Creek and Black Rascal Slough is not less than 7000 c.f.s.; 7000 c.f.s. from the section line common to Sections 2 and 3, T. 8 S., R. 12 E., M. D. B. & M., upstream to the confluence of Bear Creek with the lower end of Black Rascal Slough.*

(3) *Black Rascal Slough: Not less than 2000 c.f.s. and so that the combined capacity of Black Rascal Slough and Bear Creek is not less than 7000 c.f.s.*

(4) *Miles Creek: 1000 c.f.s. from the Merced-El Nido Highway upstream to the section line common to Sections 25 and 26, T. 7 S., R. 15 E., M. D. B. & M.*

(5) *Owens Creek: 400 c.f.s. from Owens Creek diversion to the bridge crossing at the section line common to Sections 29 and 30, T. 7 S., R. 16 E., M. D. B. & M.*

(6) *Mariposa Creek: 1000 c.f.s. from Owens Creek diversion upstream to the bridge located in SW  $\frac{1}{4}$  of Section 10, T. 8 S., R. 16 E., M. D. B. & M.; 1250 c.f.s. from El Nido Highway upstream to Owens Creek diversion."*

## Amendment No. 4

On page 1, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

## WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1354

Senator Abshire moved that Senate Bill No. 1354 be withdrawn from Committee on Business and Professions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1354**—An act to add Section 113.5 to the Business and Professions Code, relating to members of boards within the Department of Professional and Vocational Standards.

Bill read second time.

**Motion to Amend**

Senator Abshire moved the adoption of the following amendments:

**Amendment No. 1**

In the caption of the printed bill, after "Burns", insert "by request of Senator Abshire".

**Amendment No. 2**

In the title of the printed bill, strike out "113.5", and insert "103".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 103 is added to the Business and Professions Code, to read: 103. In lieu of one member on each board in the Department of Professional and Vocational Standards having more than one member, the Governor may appoint to membership a representative of the public who is not a licensee of the board or engaged in the business or profession regulated by the board."

**Amendment No. 4**

On page 1, strike out lines 2 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

**WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1949**

Senator O'Gara moved that Senate Bill No. 1949 be withdrawn from Committee on Financial Institutions for purpose of amendment, and re-referred to committee.

Motion carried.

**SECOND READING OF SENATE BILLS (OUT OF ORDER)**

**Senate Bill No. 1949**—An act to amend Sections 9 and 3166 of the Civil Code, relating to business days and to the maturity and presentment of negotiable instruments.

Bill read second time.

**Motion to Amend**

Senator O'Gara moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 25, of the printed bill, following "by", insert " , at, or through".

**Amendment No. 2**

On page 1, line 28, of the printed bill, following "by", insert " , at, or through".

**Amendment No. 3**

On page 2, line 1, of the printed bill, strike out "minor", and insert "optional bank".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.



## REPORTS OF STANDING COMMITTEES

## Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 31—Relating to fire protection districts;

Senate Joint Resolution No. 25—Relative to repair of Morro Bay Breakwater; And reports that the same have been correctly enrolled, and presented to the Secretary of State on the sixteenth day of April, 1953, at 4 p.m.

POWERS, Chairman

## Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 328

Assembly Bill No. 1364

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 615

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1477

Assembly Bill No. 527

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 319

Senate Bill No. 417

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bills re-referred to Committee on Judiciary.

**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1822

Assembly Bill No. 1223

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 859

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Labor, to which were referred:

Assembly Bill No. 2323

Assembly Bill No. 1217

Assembly Bill No. 1214

Assembly Bill No. 1210

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 7.

ABSHIRE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Assembly Bill No. 3486

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Finance.

Committee membership 7; committee vote: Ayes 5; absent 2.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1711

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; noes 1.

ABSHIRE, Chairman

Above reported bill ordered to second reading.

**Committee on Fish and Game**

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 1758

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

ED. C. JOHNSON, Chairman

Above reported bill ordered to second reading.

**Committee on Business and Professions**

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 600	Assembly Bill No. 1376
Senate Bill No. 601	Assembly Bill No. 1379
Senate Bill No. 603	Assembly Bill No. 1380
Senate Bill No. 1182	Assembly Bill No. 1381
Senate Bill No. 1360	Assembly Bill No. 1382
Senate Bill No. 1828	Assembly Bill No. 1662
Senate Bill No. 1914	Assembly Bill No. 2650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 425	Senate Bill No. 602
Senate Bill No. 598	Senate Bill No. 606

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

DESMOND, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1403

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; noes 1; absent 1.

DESMOND, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 605

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DESMOND, Chairman

Above reported bill ordered to second reading.

**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, April 16, 1953

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

PARKMAN, Chairman

Above reported bill ordered to second reading.

**ADJOURNMENT**

At 4.47 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, April 17, 1953.

JOHN F. LEA, Minute Clerk

